DUNCAN HUNTER, CALIFORNIA, CHAIRMAN
CURT WELDON, PENNSYLVANIA
JOEL HEFLEY, COLORADO
JIM SAXTON, NEW JERSEY
JOHN M. McHUGH, NEW YORK
TERRY EVERETT, ALABAMA
ROSCOE G. BARTLETT, MARYLAND
HOWARD P. "BUCK" McKEON, CALIFORNIA
MAC THORNBERRY, TEXAS
JOHN N. HOSTETTLER, INDIANA
WALTER B. JONES, NORTH CAROLINA
JIM RYUN, KANSAS
JIM GIBBONS, NEVADA
ROBIN HAYES, NORTH CAROLINA
HEATHER WILSON, NEW MEXICO
KEN CALVERT, CALIFORNIA
ROB SIMMONS, CONNECTICUT
JO ANN DAVIS, VIRGINIA
ED SCHROCK, VIRGINIA
W. TODD AKIN, MISSOURI
J. RANDY FORBES, VIRGINIA
JEFF MILLER, FLORIDA
JOE WILSON, SOUTH CAROLINA
FRANK A. LoBIONDO, NEW JERSEY
TOM COLE, OKLAHOMA
JEB BRADLEY, NEW HAMPSHIRE
ROB BISHOP, UTAH
MICHAEL TURNER, OHIO
JOHN KLINE, MINNESOTA
CANDICE S. MILLER, MICHIGAN
PHIL GINGREY, GEORGIA
MIKE ROGERS, ALABAMA
TRENT FRANKS, ARIZONA

COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED EIGHTH CONGRESS

IKE SKELTON, MISSOURI
JOHN SPRATT, SOUTH CAROLINA
SOLOMON P. ORTIZ, TEXAS
LANE EVANS, ILLINOIS
GENE TAYLOR, MISSISSIPPI
NEIL ABERCROMBIE, HAWAII
MARTY MEEHAN, MASSACHUSETTS
SILVESTRE REYES, TEXAS
VIC SNYDER, ARKANSAS
JIM TURNER, TEXAS
ADAM SMITH, WASHINGTON
LORETTA SANCHEZ, CALIFORNIA
MIKE McINTYRE, NORTH CAROLINA
CIRO D. RODRIGUEZ, TEXAS
ELLEN O. TAUSCHER, CALIFORNIA
ROBERT A. BRADY, PENNSYLVANIA
BARON P. HILL, INDIANA
JOHN B. LARSON, CONNECTICUT
SUSAN A. DAVIS, CALIFORNIA
JAMES R. LANGEVIN, RHODE ISLAND
STEVE ISRAEL, NEW YORK
RICK LARSEN, WASHINGTON
JIM COOPER, TENNESSEE
JIM MARSHALL, GEORGIA
KENDRICK B. MEEK, FLORIDA
MADELEINE Z. BORDALLO, GUAM
RODNEY ALEXANDER, LOUISIANA
TIM RYAN, OHIO

ROBERT S. RANGEL, STAFF DIRECTOR

April 8, 2003

President George W. Bush
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

Recent media reports show that American service members who had been taken prisoners of war by Iraqis have been killed. The evidence suggests violations of the Geneva Conventions and war crimes. We write to suggest a framework for adjudication of war crimes cases that may arise from Operation Iraqi Freedom.

Review of the war crimes trials conducted in Germany and Japan in the wake of World War II demonstrates the wisdom and utility in prosecuting war crimes through an international military tribunal. The Nuremberg trials are a case in point. Those trials, conducted under the auspices of the United Nations, were preceded by an agreement among the allied nations concerning their conduct. That agreement included a detailed charter for the military tribunal. The charter constituted the tribunal and prescribed its jurisdiction, powers, rules of procedure, authorized sentences, and ancillary matters necessary to insure that the defendants received a fair trial.

As much as we all deplore the cruelty and inhumanity that characterize war crimes, it is a hallmark of American idealism that we as a nation should submit those who we suspect of war crimes to the judgment of the law. We believe that the international agreement and principles of fairness, justice and the rule of law that were the predicate for the Nuremberg trials can also serve as a useful template for the prosecution of war crimes committed during Operation Iraqi Freedom. Just as the Nuremberg trials were conducted by the four nations who won that war—the United States, England, France and the Union of Soviet Socialist Republics—so, too, could a tribunal resulting from this war be conducted by the principal coalition partners—the United States, England, Australia, Poland and Kuwait.

We urge you to consider the Nuremberg trial model as you decide how to deal with offenses arising during this conflict.

Sincerely,

Duncan Hunter
Chairman

Ike Skelton
Ranking Democrat