

# **The Peoples Indictment of the Nevada National Security Site Crimes Against Peace and Crimes Against Humanity April 19, 2019**

To President Trump, to Secretary of Energy Rick Perry, to Lisa E. Gordon-Hagerty, Administrator of the National Nuclear Security Administration (NNSA) and to the Nevada National Security Site personnel (NNSS) and to all military personnel and civilian staff at the NNSS, and to the federal law enforcement, private contractors of the NNSS and the local police and Sheriffs Department of Nye County, Nevada:

We bring this indictment to the Nevada National Security Site in response to the existential threat its operation poses to the local and global environment, including but not limited to the possible extinction of the human species. The recent movement of a half ton of weapons-grade plutonium to the Nevada National Security Site is only one example of the reckless, irresponsible and criminal disregard for public safety, the rule of law and the sanctity of life of the government agencies and their contractors that manage the site.

Each one of you, when you became a public servant, serving in a government position or when you joined the United States Armed Forces or police, you publicly promised to uphold the United States Constitution. We take this opportunity to call your attention to Article VI of the US Constitution, which states:

“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the Contrary notwithstanding.”

This clause is known as the Supremacy Clause because it provides that the Constitution and laws of the U.S., including treaties made under authority of the U.S. shall be supreme law of the land.

The Supremacy Clause provides part of the Supreme Law of the Land.

One Treaty duly ratified by the U.S. is the United Nations Charter. It was ratified by a vote of 89 to 2 in the U.S. Senate, and signed by the President in 1945. It remains in effect today. As such, it is part of supreme law of the land.

The Preamble of the U.N. Charter states that its purpose is to “save future generation from the scourge of war” and it further states, “all nations shall refrain from the use of force against another nation.”

This Treaty applies both collectively and individually to all three branches of government, on all levels, U.S. federal, state and local governments, starting with the executive branch: the U.S. President and the executive staff; the judicial branch: all judges and staff members of the judiciary; the legislative branch: all members of the U.S. Armed Forces and all departments of Law Enforcement and all civilian staff, who have sworn to uphold the Constitution, which includes Article VI.

Under the U.N. Charter and long established international laws, anyone--civilian, military, government officials, or judge- who knowingly participates in or supports illegal use of force against another nation or its people is committing a war crime.

Today you must recognize that when you promised to uphold the Constitution, you promised to obey Treaties and International Law – as part of the Supreme Law of the Land and furthermore, under the Uniform Code of Military Justice of the U.S., you are required to disobey any clearly unlawful order from a superior.

Based on all the above,

**WE, THE PEOPLE, CHARGE THE UNITED STATES PRESIDENT, Donald Trump AND THE FULL MILITARY CHAIN OF COMMAND and the Department of Energy with CRIMES AGAINST PEACE & CRIMES AGAINST HUMANITY, WITH VIOLATIONS OF PART OF THE SUPREME LAW OF THE LAND, including and for the illegal occupation of the Western Shoshone Nation in violation of the Treaty of Ruby Valley, 1863, for the criminal negligence and release of radioactive materials resultant in the deaths of 340 to 690 thousand U.S Citizens, and for the violation of numerous treaties and “rules of international law” including but not limited to the 1868 Declaration of St. Petersburg, the 1907 Hague Convention , the 1948 Universal Declaration of Human Rights, the 1949 Geneva Convention, the 1977 Geneva Convention. the 1928 Kellogg-Briand Pact, Treaty on the Non-Proliferation of Nuclear Weapons, Treaty on the Prohibition of Nuclear Weapons and numerous US military regulations which clearly state that nuclear weapons are illegal.**

“United States of America

The US Naval Handbook (1995) states: “Weapons which by their nature are incapable of being directed specifically against military objectives, and therefore that put noncombatants at equivalent risk, are forbidden due to their indiscriminate effect.”

The actions of the US government and all of the above named participants have resulted in EXTRAJUDICIAL KILLINGS, VIOLATION OF DUE PROCESS, WARS OF AGGRESSION, VIOLATION OF NATIONAL SOVEREIGNTY, AND KILLING OF INNOCENT CIVILIANS.

There is no legal basis for the use of nuclear weapons, no legal criteria for deciding which people can be targeted for killing, no procedural safeguards to ensure the legality of the decision which indiscriminately kill every living being within the kill radius of such weaponry.

The occupation of the Western Shoshone Nation by the DOE and the Nevada National Security Site are a deliberate illegal use of force against another nation, and as such are a felonious violation of Article VI of the US Constitution.

By giving material support to this occupation, you as individuals are violating the Constitution, dishonoring your oath, and committing war crimes.

We demand that you end this illegal occupation and immediately begin the process of nuclear disarmament and stop participating in all nuclear weapons development. As citizens of this nation, which maintains over 700 military bases around the globe, and the largest, most deadly military arsenal in the world, we believe these words of Martin Luther King still hold true, "the greatest purveyor of violence in the world today is my own government".

There is hope for a better world when WE, THE PEOPLE, hold our government accountable to the laws and treaties that govern the use of lethal force and war. To the extent that we ignore our laws and constitution and allow for the unchecked use of lethal force by our government, allowing the government to kill whomever it wants, where ever it wants, however it wants with no accountability, we make the world less safe for children everywhere.

We appeal to all United States citizens, military and civilian, and to all public officials, to do as required by the Nuremburg Principles I-VII, and by Conscience, to refuse to participate in these crimes, to denounce them, and to resist them nonviolently.

Signed by: