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National Institute of Military Justice Policy Statement: Military Justice and Presidential Commentary

Public comments by the President regarding on-going war crimes investigations are condemnable because they can undermine full and fair investigations and subject those making prosecutorial decisions to impermissible pressures. Such interference in preliminary military justice proceedings does a disservice to those serving in uniform, who must rely on the rule of law to safeguard unit discipline and maintain fairness. The U.S. military has a legal and moral duty to investigate all allegations of war crimes by its forces, and to prosecute if warranted, and the Commander-In-Chief must ensure such obligations are fulfilled.

Approved by the Board, 18 December 2018.