

The General Assembly,

Calling to mind the United Nation's fundamental goal since its founding to work towards international peace and security and to end aggressive war, and especially article 2(4) of the UN Charter which demands that, "states shall refrain in their international relations from the threat of use or use of force against the territorial integrity or political independence of any state,"

Recalling its resolution 377(A) (1950) entitled "Uniting for Peace," which "resolves that if the Security Council... fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendation to Members for collective measures,"

Recognizing that ten emergency sessions have been called under the auspices of resolution 377(A) since its adoption and that those sessions have contributed towards pacification of violent or possibly violent situations,

Convinced that each Member State has an obligation as a UN Member to work to maintain international peace and security,

Mindful of the long history of Security Council resolutions about the situation in Iraq, which date back to the invasion of Kuwait in 1991, including resolution 661 (1990), 678 (1990), resolution 687 (1991), resolution 688 (1991), resolution 707 (1991), resolution 986 (1995), resolution 1154 (1998), and resolution 1284 (1999),

Noting with regret Iraq's refusal to comply with the first weapons inspection regime after 1998,

Conscious of the recent attention to the situation in Iraq and the consequent renewal of weapons inspections in Iraq,

Recalling especially Security Council resolution 1441, which called for immediate reinstatement of weapons inspections and complete Iraqi compliance,

Recalling further the joint statement issued by Security Council Members, France, China, and Russia in concert with the adoption of resolution 1441 that further UN approval would be required before military action would be legal,

Bearing in mind the request of Hans Blix, chief United Nations inspector for chemical and biological weapons, and Dr. Mohamed El Baradei, director of the U.N. International Atomic Energy Agency, for several more months to finish the inspections,

Expressing its grave concern at the most recent developments with regards to Iraq and their implications for international peace and security,

Expressing further concern about the proposed use of force by certain Member States in spite of these findings,

Aware of the build-up of military forces by the United States, the United Kingdom and other Member States in the Iraq area,

Having heard the statement by the United States Ambassador to the UN that he believes that resolution 1441 “does not constrain any Member State from acting to defend itself against the threat posed by Iraq, or to enforce relevant UN resolutions,”

Noting that United States President Bush’s has stated his intention to forcibly disarm Saddam Hussein even without obtaining an additional Security Council resolution,

Noting that officials of the governments of the United States and the United Kingdom have stated that they may use force against Iraq without an additional Security Council resolution,

Noting that the Security Council is unable to adopt a resolution preventing the use of force against Iraq because of the exercise of the veto by some of the Council’s permanent Members,

Noting that Security Council resolution 1441 does not authorize the use of force against Iraq,

Noting that certain Member States have indicated that they will bypass the Security Council in using force against Iraq,

Convinced therefore that the Security Council because of lack of unanimity of the permanent Members cannot exercise its primary responsibility for the maintenance of international peace and security in a case where there appears to be a threat to the peace, breach of the peace, or act of aggression,

1. *Reaffirms* the right of the people of Iraq to human rights in accordance with the Charter, including the right to determine their own future and form of government;
2. *Reaffirms* that territorial integrity is a fundamental principle of the Charter of the UN, and any violation of that principle is contrary to the Charter;
3. *Reiterates* the intentions and strategies approved by the Security Council in its resolution 1441;
4. *Declares* that military action against Iraq without a Security Council resolution authorizing such action is contrary to the UN Charter and customary international law;
5. *Calls upon* Iraq to comply fully with the UNMOVIC weapons inspections regime;

6. *Deplores* the latest attempts by certain Security Council Members to undermine the international consensus achieved in Security Council resolution 1441(2002);
7. *Condemns* any use of force against Iraq without Security Council approval;
8. *Urges* the United States, the United Kingdom and other Member States to act according to their obligations under the principles of the Charter and international law, and therefore to not employ force against Iraq without Security Council approval;
9. *Calls upon* Member States to act in accordance with the principles of the UN Charter especially by respecting state sovereignty and the principle of non-aggression;
10. *Requests* Member States to cooperate fully in the carrying out of this resolution;
11. *Requests* the Secretary-General to keep Member States informed as to the progress of the implementation of this resolution.

FOR FURTHER INFORMATION, PLEASE CONTACT:

JULES LOBEL lobel@law.pitt.edu

MICHAEL RATNER 212-243-3805/mratner@igc.org

STEVEN WATT 212-614-6430/smwatt@ccr-ny.org