

AN APPEAL TO LAW

IALANA Statement On the Threat of War Against Iraq

Since its inception in 1986, the International Association of Lawyers Against Nuclear Arms (IALANA) has been devoted to the abolition of nuclear weapons and the maintenance of the rule of law. We, the General Assembly of IALANA, deplore the erosion of law and the resurgence of reliance on nuclear weapons, as evidenced by the U.S. Nuclear Posture Review and the most recent NATO Strategic Concept.

Neither terrorism nor weapons of mass destruction, threatening though they are, justify the scrapping of Article 2(4) of the United Nations Charter or the total disregard by the nuclear weapon powers of their duty to comply with the mandate of the International Court of Justice to “pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

War, which under the United Nations Charter may only be resorted to as a very last resort, after all means of pacific settlement have been exhausted, is not a proper answer either to terrorism or to the suspected presence of weapons of mass destruction in any part of the world.

We commend the Security Council for not having authorized the use of force in Resolution 1441 and call on the members of the Security Council not to authorize war against Iraq in violation of these time honoured principles. We call on the United States of America not to pursue the course of war on its own initiative. We call on all nuclear weapon states, official and unofficial, to accomplish the total elimination of their nuclear weapons with all deliberate speed. We call on civil society to insist that their governments sacrifice neither the rule of law nor civil and human rights to a misguided concept of security.

These are indeed dangerous times. It remains to be seen, however, whether the world community will in the end suffer greater damage from the ravages of terrorists or from those who, under the banner of anti-terrorism, would destroy the home built for “we the peoples” by the United Nations Charter and the Universal Declaration of Human Rights.

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International Association of Lawyers Against Nuclear Arms
Northern Office
Wilhelm-Roser Strasse 25
35037 Marburg, Germany
tel.: (+49) 06421 - 2 30 27
www.ialana.org; info@ialana.org