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Subject: Survival kits?

Posted by [Javaxcx](#) on Sat, 29 Jan 2005 16:13:54 GMT

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The U.N. as a body hasn't deemed anything, yet. Legal or Illegal.

Now let's look at the very key statement that you, and many others have taken seriously out of context. It's your last paragraph:

"13. Recalls, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations;"

This is NOT authorization to do anything. This is a WARNING that authorization MIGHT be given should Iraq continue to violate the law (that you yourself said didn't even matter or some variant thereof ) and the terms of a ceasefire that NOT America, but the U.N. (Recalling that in its resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq...) put into place between KUWAIT (the nations helping Kuwait included) and Iraq.

You also forgot a pretty important couple of statements from resolutions that you would otherwise use to back up your claims.

Resolution 678, article 2:

"2. Authorizes Member States co-operating with the Government of Kuwait, unless Iraq on or before 15 January 1991 fully implements, as set forth in paragraph 1 above, the above-mentioned resolutions, to use all necessary means to uphold and implement resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area;"

(Article 1: 1. Demands that Iraq comply fully with resolution 660 (1990) and all subsequent relevant resolutions, and decides, while maintaining all its decisions, to allow Iraq one final opportunity, as a pause of goodwill, to do so; )

THIS is an example of what authorization looks like. Not some ambiguous warning placed at the bottom of a resolution. Look at the key features here that didn't exist in 1441:

- A) You have a date given to which, if no or insufficient compliance is obtained, you may use all force necessary to...
- B) Uphold a certain resolution. In this case it is 660 and subsequent and relevant (to which I'll get to in a moment) resolutions.

Resolution 660, article 2:

"Demands that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990"

678 and 660 say that you will have the authorization to remove Iraq from Kuwait-- not beat the hell

out of Iraq in their own nation. CERTAINLY not authorization to initiate a coup d'etats.

So... where is this information in 1441? Was it just implied? Sorry friend, that doesn't hold up. Not even remotely.

See, the problem you people seem to have is that you think when the U.N. authorizes you to do something, you're given free reign over the situation. And you certainly are not. You're given stipulations to uphold so the situation doesn't turn into a blown out clusterfuck. That is exactly what happened in Kuwait in 1990, and that is one, among other reasons, why Bush Sr. didn't go after Saddam-- it would be ILLEGAL to do so.

Now, lets look at some relevant resolutions that you conveniently left out.

Now, keep this Article of the Charter in mind, because it is explicitly mentioned in resolution 686, and is reaffirmed in 1441 in its preamble.

"Recalling the obligations of Member States under Article 25 of the Charter,"

"Article 25: The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter."

Now here is a pretty key statement that is reiterated through just about every subsequent resolution, including 687 and 1441.

Resolution 686: "Affirming the commitment of all Member States to the independence, sovereignty and territorial integrity of Iraq and Kuwait, and noting the intention expressed by the Member States cooperating under paragraph 2 of Security Council resolution 678 (1990) to bring their military presence in Iraq to an end as soon as possible consistent with achieving the objectives of the resolution,"

What is this commitment it's talking about? The same commitment all member states have. To the Charter. So let's take a look at that:

Chapter 1, article 2: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

Now, I know you're going say something about the violation of the cease-fire. And I'm going to tell you why that still doesn't authorize you do to anything.

The cease-fire established in 687 was made by the U.N. and the U.N. alone. You'll notice the kinky way it works in that all nations in the conflict were member states and bound to it, which is why Kuwait (and 678 helpers) didn't do anything. If one side, namely Iraq, does not fulfill the terms of the cease-fire, that does NOT nullify it by your command. Since the U.N. made it, only the U.N. can determine it being violated (which they have) AND moot. Something they have NEVER done. You'll notice how 1441 recalls 687 as well in its preamble. Oh, and it does go forward to mention this little tidbit as well:

"REAFFIRMING the commitment of all member states to the sovereignty and territorial integrity of Iraq, Kuwait, and the neighboring states,"

Oh, and don't try and use the Article 51 clause, because that doesn't work either. Since America and it's allies were working not indepentently in this operation, but as a compliment to the Kuwaiti force, and THROUGH the U.N. mind you, they have no independence in that context. That is, if you're attacked while carrying out the U.N.'s operations, that does not constitute a breach of article 51.

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