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# **AMERIKAANS UNILATERALISME II**

Officiële reacties

**PENN – NL Facts and Reports Nr. 12**

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PENN-Nederland

## AMERIKAANS UNILATERALISME II

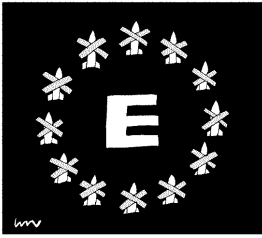
Augustus 2002

### **PENN, het Project voor Europese Nucleaire Non-proliferatie**, is opgezet om:

- \* officiële discussies over de toekomst van kernwapens in Europa nauwgezet te volgen en deze te verhelderen;
- \* analyses van en commentaren op deze ontwikkelingen te publiceren;
- \* verdere maatregelen voor kernontwapening in Europa en substantiële Europese bijdragen aan kernwapenbeheersing, ontwapening en non-proliferatie te stimuleren;
- \* te ijveren voor de volledige naleving van het Non-Proliferatieverdrag door de NAVO, de Europese Unie, en haar leden;
- \* politieke belemmeringen op te werpen tegen ontwikkelingen die zouden kunnen leiden tot een Europese Unie met kernwapens;
- \* te bevorderen dat de Europese Unie en al haar leden uiteindelijk niet-nucleaire leden van het NPV worden.

Deze publikatie is mogelijk gemaakt door de W. Alton Jones Foundation

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## INLEIDING

De Amerikaanse buitenlandse politiek is van doorslaggevend belang voor het stelsel van internationale veiligheid. Dat is een gegeven dat ruimschoots erkend wordt door de internationale politiek. Dat Amerikaanse beleid kenmerkt zich de afgelopen jaren door de nietsontziende benadrukking van de Amerikaanse belangen, zonder acht te slaan op internationale afspraken en verdragen die in een eerder stadium gemaakt werden. Dit voortgaande unilaterialisme wordt door een groot deel van de wereld gezien als zorgwekkend en zelfs bijzonder gevaarlijk. Dat is allang niet meer allen de visie van kritische vertegenwoordigers van non-gouvernementele organisaties, maar ook van een breed spectrum van diplomaten en regeringsvertegenwoordigers. De kritiek is allang niet meer beperkt tot opmerkingen over een wat eenzijdige interpretatie van enkele verdragen. Het gaat om besluitvorming over een reeks beleidsterreinen, op zo een manier dat Amerikaanse belangen doorslaggevend zijn. .

In deze brochure worden een aantal daarvan bekeken. Het gaat om kernwapenpolitiek - de Nuclear Posture Review en het Verdrag van Moskou - alsook het Internationaal Strafhof, de Internationale Conventie tegen Martelen en sinds kort de plannen voor een aanval op Irak.

Op elk terrein wordt een korte beschrijving geven van de ontwikkelingen, gevolgd door een verzameling citaten, meest engelstalig, van politici, diplomaten, woordvoerders en non-gouvernementele organisaties over die ontwikkelingen. Tot slot volgt een kort commentaar.

Het leek ons zinvol om zo de reacties van de internationale gemeenschap op het Amerikaanse unilaterialisme bij elkaar te brengen.

Dit is een vervolg op het eerste deel van deze F&R reeks, dat ook handelde over dit onderwerp.

Redactie F&R

# NUCLEAR POSTURE REVIEW

## INLEIDING

In januari 2002 werd door de Amerikaanse administratie een rapport met een herziening van de Amerikaanse kernwapenpolitiek, het zogenaamde Nuclear Posture Review, aan het Congres voorgelegd. In maart lekten belangrijke delen van dit rapport uit via de Amerikaanse pers. Voor een bespreking van alsmede voor uitgebreide citaten uit de Nuclear Posture Review verwijzen wij u naar de nummers 4 en 8 van onze Facts and Reports-reeks. Een aantal punten uit dit rapport, waaronder het verkorten van de tijd die nodig is om over te gaan tot het nemen van kernproeven, de plannen voor een anti-raketschild en plannen voor de ontwikkeling en productie van nieuwe kernwapens zoals mini-nukes, lokten scherpe internationale kritiek uit. Ook in hun bijdragen tijdens de PrepCom voor het Non-Proliferatieverdrag, afgelopen april in New York, refereerden een aantal landen aan de negatieve gevolgen van deze plannen voor het streven naar kernontwapening.

## CITATEN

### Brazilië

**Celina Assumpção do Valle Pereira, gedelegeerde bij de NPT Prepcom:** "The development of a new generation of nuclear weapons is also a disturbing rumor. It appears to signal a new role for nuclear weapons. New rationales for the possession of nuclear weapons continue to be re-stated or reinforced. The use of nuclear weapons, so it seems, is being re-rationalized."  
(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 8 April 2002)

### Canada

**Christopher Westdahl, gedelegeerde bij de NPT Prepcom:** "Moreover, signals from some nuclear-weapon States regarding their nuclear arsenals occasion uncertainty and concern."  
(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 9 April 2002)

### China

**Sun Yuxi, Official Spokesman of China's Foreign Ministry:** "Like many other countries, we are deeply shocked by the report by the U.S. Department of Defense, which lists China among the seven nations as targets of possible nuclear strikes. We hold the United States responsible for an explanation. ... China has always stood for the complete prohibition and thorough destruction of nuclear weapons. The nuclear states should unconditionally undertake not to be the first to use nuclear weapons, or use or threaten to use nuclear weapons against nuclear-free countries or zones. China and the United States also had an agreement on the non-targeting of nuclear weapons.  
In our view, it is the trend of the day for the international community to work for peace, cooperation and development. Any cold-war mentality does not go along with the above trend and could only lead to failure."  
(12 March 2002, *Chinese Ministry of Foreign Affairs Website*, Press Briefing)

### Duitsland

**Ludger Volmer, Deputy Foreign Minister:** "Such a strategy could endanger the disarmament and non-proliferation of nuclear weapons." Volmer called US plans to use nuclear arms against non-nuclear states "extremely questionable"  
(13 March 2002, *Islamic Republic News Agency*)

## Iran

**Hashemi Rafsanjani, Former Iranian President:** "America thinks that if a military threat looms large over the head of these seven countries, they will give up their logical demands."  
(10 March 2002, *Associated Press*, "World Reacts to US Nuclear Plans")

**Abdollah Ramezanzadeh, Iranian Government spokesman:** "The Islamic Republic believes that the era of using force to push forward international relations is long past, and those who resort to the logic of force follow exactly the same logic as terrorists, although they are in the position of power."  
(13 March 2002, *China Daily*, "Nuke Plan Angers Targeted Countries")

**Hadi Nejad-Hosseini, gedelegeerde bij de NPT Prepcom:** "But Mr. Chairman, the new nuclear posture review submitted by the US Defense Department to the Congress is the most real setback within the nuclear non-proliferation context requiring our careful consideration. This doctrine indicates the emergence of a new doctrine in the United States on the use of nuclear weapons through development of new generation of nuclear weapons and improving the existing ones to be used against nuclear as well as non-nuclear-weapon States. It drastically changes the long-standing traditional role for of the nuclear weapons as means to deter the adversary and transforms such weapons as operational weapons in the battlefield and regional armed conflicts. This policy is in quite contravention to the letter and spirit of the Nuclear Non-Proliferation Treaty. The new doctrine if approved, would furthermore lower the threshold for using nuclear weapons by defining the new circumstances such as when conventional arms could not effectively destroy the targets, which therefore expands the scope to use such weapons..."

The new US doctrine on the use of nuclear weapons not only shifts back towards a new era of nuclear arms race, but also expands the role of nuclear weapons to conventional conflicts and even non-belligerent non-nuclear-weapon States. By devising such a policy, the US would require to test the new nuclear weapon systems which would be in clear violation of its legal obligations stemming from its signatures of the CTBT and its unilateral moratorium to conduct further nuclear tests."

(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 9 April 2002)

## Mexico

**Gustavo Albin, gedelegeerde bij de NPT Prepcom:** "There are preoccupying signs of the development of a new generation of nuclear weapons and emerging approaches for ongoing justification of a future role of nuclear weapons as part of new strategies of security. These signs deteriorate nuclear disarmament and non-proliferation."  
(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 9 April 2002)

## Nederland

**Jozias van Aartsen, Minister van Buitenlandse Zaken:** "De regering heeft [...] geen reden aan te nemen dat de drempel tegen het gebruik van kernwapens zou zijn verlaagd. Evenals de Verenigde Staten beschouwt de regering het Non-proliferatieverdrag (NPV) als de hoeksteen van de nucleaire non-proliferatie en ontwapening. Indien de Amerikaanse regering concrete voornemens zou hebben die in tegenspraak zouden zijn met het NPV of dit verdrag zouden ondermijnen, zal de regering de Amerikaanse regering hierop aanspreken."  
(Brief aan de Tweede Kamer over Missile Defense (27857 – nr. 3), Den Haag, 27 maart 2002)

**Jozias van Aartsen, Minister van Buitenlandse Zaken:** De minister zegt voorts dat het nucleaire concept van de VS niet is gewijzigd. Hij meent dat de leden ten onrechte berichten die niet rechtstreeks van de Amerikaanse regering komen als een vertaling van het beleid zien. De NPR is overigens geen planning. Het is een brede, conceptuele analyse die op verzoek van het congres door de administratie is opgesteld. De nucleaire doctrine wordt er niet mee gewijzigd en de drempel voor de inzet van kernwapens niet verlaagd. Het streven is juist te komen tot een hogere nucleaire drempel. Wel wil men wapens kunnen ontwikkelen die diep ingegraven bunkers zouden kunnen vernietigen. Het doel is het afschrikkingseffect van het arsenaal te versterken. Het is dus ook niet de bedoeling dat de VS iets af willen doen aan het testmoratorium.

Er wordt inmiddels tussen de VS en de Russische Federatie intensief gesproken over een juridisch bindend instrument dat de voorgenomen reducties van de strategische arsenalen moet regelen, inclusief verificatie op basis van START I. Daarnaast wordt gesproken over het bevorderen van de transparantie, het nemen van vertrouwenwekkende maatregelen, de samenwerking op het gebied van Missile Defense en non-proliferatie.

Dat overleg weersprekt dus de veronderstelling dat deze mogendheden een wapenwedrace willen aangaan en zouden streven naar meer raketten met meervoudige atoomkoppen.

(Algemeen Overleg over Missile Defense (27857) en Bestrijding internationaal terrorisme (27925 – nr. 4), Tweede Kamer, Den Haag, 28 maart 2002)

#### New Agenda Coalition

(Brazilië, Egypte, Ierland, Mexico, Nieuw Zeeland, Zuid-Afrika en Zweden)

**Mahmoud Mubarak (Egypt), gedelegeerde bij de NPT Prepcom:** "We remain concerned that the commitment to diminish the role of nuclear weapons in security policies and defense doctrines has yet to materialize... Furthermore, we are deeply concerned about emerging approaches to the future role of nuclear weapons as a part of new security strategies."

(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 8 April 2002)

#### Nieuw Zeeland

**Matt Robson, New Zealand Minister of Disarmament and Arms Control:** "Nuclear weapons must be left in the 20th century. We cannot allow them to become the weapon of choice for the 21st century. For that reason I urge the government of the United States to reject any pressure to walk away from their commitment to nuclear disarmament..."

If the recommendations in this leaked report were taken up by the Bush administration, it would throw the disarmament agenda internationally into disarray."

(12 March 2002, *Press Release from the New Zealand Government Executive*, "Robson Urges Rethink on Nuclear Plans")

#### Non-Aligned Movement

**Makmur Widodo (Republic of Indonesia), gedelegeerde bij de NPT Prepcom:** "Allow me to reflect on some developments of concern to the Movement since the 2000 Review Conference..."

Strategic defense doctrines continue to set out rationales for the use of nuclear weapons, as demonstrated by the recent policy review by one of the Nuclear Weapon States to consider expanding the circumstances under which nuclear weapons could be used and the countries that they could be used against;

We are also concerned by the recent developments that threaten the principle of irreversibility of nuclear disarmament, nuclear and other arms control and reduction measures."

(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 8 April 2002)

#### Noord-Korea

**Official Statement from Korean Central News Agency of DPRK (Democratic People's Republic of Korea):** "The DPRK will not remain a passive onlooker to the Bush administration's inclusion of the DPRK in the seven countries, targets of U.S. nuclear attack, but take a strong countermeasure against it. ...

If the US intends to mount a nuclear attack on any part of the DPRK [North Korea] just as it did on Hiroshima, it is grossly mistaken. A nuclear war to be imposed by the US nuclear fanatics... would mean their ruin in nuclear disaster."

(13 March 2002, *Reuters*, "North Korea Hits Out at U.S. Nuclear Arms Review")

## Rusland

**Col.-Gen. Leonid Ivashov, Former Head of the Defense Ministry's Department for International Cooperation:** The United States "has always seen and sees the U.S.S.R. and post-Soviet Russia as a geopolitical rival... It's about time Russian politicians realized this and stopped having illusions that Washington wishes Moscow well and prosperity."

(10 March 2002, *Associated Press*, "World Reacts to US Nuclear Plans")

**Sergei Ivanov, Russian Defense Minister:** "If it is true, it can only give rise to regret and concern, not only from Russia but from the entire world community. Such a plan can destabilize the situation and make it more tense... We hope that following the explanations by the U.S. secretary of state and the national security adviser, there will be declarations at a higher level to provide more clarity on this issue, assure the world community and establish that the United States is not carrying out such plans."

(11 March 2002, *Reuters/Russia Journal*)

**Alexander Yakovenko, Official Spokesman of Russia's Ministry of Foreign Affairs:** "We have sent a letter to the U.S. State Department asking to explain the line of Washington on this issue. The fact is that if the information set forth in the story corresponds to reality, then, as Russian Foreign Minister Igor Ivanov has said, it can cause regret and anxiety, not only in Russia, but also in the whole international community.

Based on the contents of the story, one has the impression that a transformation of the approaches to using nuclear weapons is taking place in the United States. In particular, it is now recognized that they could be employed in regional conflicts, including against non-nuclear countries which have relinquished the nuclear choice. This transfers nuclear weapons from a means of deterrence to the operational military arsenal of the USA, which lowers the threshold of their application.

All this, if it is really so, in the final analysis seriously weakens the nuclear non-proliferation regime. Yet Russia and the USA as some of the depositaries of the Treaty on the Non-proliferation of Nuclear Weapons, on the contrary, should strive to strengthen, not to undermine, this major element of international security."

(13 March 2002, *Russian Ministry of Foreign Affairs*, Daily News Bulletin)

**Vladimir Putin, President of the Russian Federation:** "I must, however, say frankly that these statements [concerning the NPR] do worry us. And here is why. The United States complies with the provisions of the Comprehensive Nuclear Test Ban Treaty, but has not ratified this Treaty. This means that potentially there remains the possibility of nuclear weapon tests being resumed.

...What you have mentioned cannot but worry us for the following reason. We hear individual statements about a possible use of nuclear weapons by the United States, including against non-nuclear states. This is the first point.

And the second point is, we hear statements and proposals for developing low-yield nuclear charges and their possible use in regional conflicts. This, to a very low bar, to a dangerous line, lowers the threshold of possible nuclear weapons use. The very approach to this problem may change, and then it will be possible to speak of a change of strategy. In this case nuclear weapons from weapons of nuclear deterrence go down to the level of weapons of operational use, and, in my opinion, this is very dangerous."

(4 April 2002, *Russian Ministry of Foreign Affairs*, Transcript of Russian President Vladimir Putin Meeting with German and Russian Media)

## Verenigd Koninkrijk

**Menzies Campbell, the Liberal Democrat Foreign Affairs Spokesman:** "This completely changes the terms of debate about nuclear deterrence. America has said that it can now act unilaterally and that it could use nuclear weapons against nations who do not have nuclear capability. Britain will have to think very carefully now about its support for systems such as the national missile defence system."

(10 March 2002, *The Observer*, "Outrage as Pentagon Nuclear Hitlist Revealed")

**Dr. Dennis Macshane, Minister of State for Foreign and Commonwealth Affairs:** "Surely the important point is that the policy review [the NPR], as reported in the press, reiterated the United States' commitment to a "no first use" policy [This is incorrect. The United States has never held a "no first use" policy]. It also indicated



that America was seeking to reduce the number of its nuclear missiles from 6,000 to 2,000."  
(12 March 2002, *House of Commons*, Foreign and Commonwealth Affairs Debate)

**Mr. Malcolm Savidge (Labour):** Will my right hon. Friend clarify whether, under United States influence, the Labour Government are abandoning the policy of the last Conservative Administration and all previous British Governments? During the Gulf war, John Major ruled out, explicitly and repeatedly in the House, the use of British nuclear weapons against Iraq, even in reply to a chemical or biological attack on our forces, on the grounds that a proportionate response could be made using conventional weapons and that Britain would never breach the nuclear non-proliferation treaty?

**Mr. Hoon, Foreign Affairs Minister:** May I make it clear, as I have made clear to my hon. Friend and the House on a number of occasions, that the British Government's policy in that respect has not changed? We remain committed to a range of international agreements that have been supported by successive Governments. That remains the position, but may I make it clear to him that that position has always been within the wider remit of international law? I have made it clear to him and the House that the British Government would only use nuclear weapons consistent with our obligations under international law.  
(Hansard, Defence orals/commons, 15 juli 2002, column 11)

#### Verenigde Naties

**Jayantha Dhanapala, UN Undersecretary General for Disarmament Affairs:** "[The plan] flies in the face of the Nuclear Nonproliferation Treaty undertakings. Under Article VI, one is expected to reduce nuclear weapons and ultimately eliminate them. So this is to me a very serious contradiction of that and will be a very major stumbling block as we begin the process of preparing for the 2005 NPT Review Conference, which begins in April. ...

"[The U.S. review could] encourage other countries then to discard the obligations under the Comprehensive Nuclear Test Ban Treaty and under the Nuclear Nonproliferation Treaty. We are going to get an encouragement to nuclear proliferation, rather than reducing the number of countries that have nuclear weapons."  
("U.S. Plan Concerns Top U.N. Official", UN Wire, 13 March 2002)

#### Wit-Rusland

**Valentin Rybakov, gedelegeerde bij de NPT Prepcom:** "The Republic of Belarus expresses deep concern over the Nuclear Posture Review of one of nuclear-weapons states recently made public. The Review undermines the basic provisions of the NPT and envisages the development of new types of nuclear weapons, which may lead to the resumption of nuclear testing. The Review considers a possibility of preventive nuclear strikes against a list of states, including non-nuclear-weapons states. Lowering the threshold for the use of nuclear weapons and expanding the circumstances and conditions for their use create a dangerous precedent."  
(Statement to the 2002 Non-Proliferation Treaty PrepCom, New York, 9 April 2002)

# VERDRAG VAN MOSKOU

## INLEIDING

Op 24 mei 2002 sloten de Verenigde Staten en Rusland het zogenaamde Verdrag van Moskou, waarin afspraken gemaakt worden over het terugbrengen van het aantal voor gebruik gereed staande strategische kernkoppen in de komende tien jaar. In het Verdrag zijn geen verificatiemechanismen opgenomen en er wordt ook niets gezegd over wat er moet gebeuren met de kernkoppen die niet langer voor direct gebruik gereed staan. De Verenigde Staten maakten in ieder geval duidelijk dat daadwerkelijke vernietiging van deze kernkoppen geen automatisme is, veeleer worden de kernkoppen in reserve gehouden met de mogelijkheid ze weer in gebruik te nemen wanneer dit nodig geacht wordt. Voor de tekst van het Verdrag en voor achtergrondinformatie hierbij verwijzen wij u naar nummer 8 uit onze reeks Facts and Reports.

## CITATEN

### Australië

**Australian Foreign Minister Alexander Downer:** "I welcome the two historic agreements covering nuclear arms reductions and a new strategic framework concluded by Presidents Bush and Putin... I encourage the wider international community to acknowledge the significance of these agreements by redoubling its efforts in the area of arms control and non-proliferation."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 25 mei 2002)

### China

**Chinese Foreign Minister Tang Jiaxuan:** "[The Foreign Minister] expressed the hope that the two countries will continue their efforts to reduce their nuclear arsenals in this manner, so as to further advance the process of international nuclear disarmament."

(phone call to Secretary of State Colin Powell, as reported by the Xinhua news agency, 16 mei 2002)

### India

**Indian Foreign Ministry Statement:** "This Declaration and SOR Treaty are path breaking historical developments marking an abandonment of the vestiges of the Cold War. Deep cuts in nuclear weapons' stockpiles...is a major step in the direction of nuclear disarmament. We hope that the Treaty will make a signal contribution to the elimination of nuclear weapons and genuine non-proliferation."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 25 mei 2002)

## NAVO

"We received with appreciation information by the United States Secretary of Defense on the results of the recent Summit meeting between Presidents Putin and Bush at Moscow and St. Petersburg, particularly with regard to the further development of the New Strategic Framework between the United States and Russia. We welcomed the results of the Summit and expressed our full support for its agreement on a Treaty to reduce, over the next decade, U.S. operationally deployed strategic nuclear warheads to a level of between 1,700 and 2,200 and to reduce Russian strategic nuclear warheads to the same level."

(Final Communiqué – Ministerial Meeting of the Defence Planning Committee and the Nuclear Planning Group held in Brussels on 6 June 2002)

## Non-gouvernementele organisaties (NGO's)

**Joseph Cirincione, Carnegie Endowment for International Peace, Washington:** "[President Bush's] only concession was to make it legally binding, but there are so many loopholes in this that it's legally binding mush. ... [President Putin] would have accepted whatever the administration was offering. He's decided the future of Russia is tied with the West and he doesn't want to let an arms control agreement get in the way."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 13 mei 2002)

**Dmitri Trenin, Carnegie Endowment for International Peace, Moscow:** "We are managing the light of a star which has been dead for 10 years... The prize is Russia's integration into the world community which is dominated by the United States."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 13 mei 2002)

**Russian defence analyst Alexander Goltz:** "Crudely put, the US unilateral reductions policy has taken on the form of a bilateral document."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 13 mei 2002)

**Jon Wolfsthal, Carnegie Endowment for International Peace:** "The treaty is toothless and almost pointless. It does not define what it is trying to control. It does not have verification terms. It is almost impossible to violate... It is not an arms control treaty. It is essentially a signed political statement, confirming statements the Presidents agreed to previously. ... It's a signed, essentially blank, piece of paper."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), Washington, 24 mei 2002)

## Rusland

**Defence Minister Sergei Ivanov:** "This does not mean that Russia has lifted its objections to the US plans to store and not to destroy a part of the warheads."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 13 mei 2002)

**Nationalist Duma Member Alexei Mitrofanov:** "They form a shield and we break our sword... We must reserve the right to have as many missiles as possible so that we could deploy them under every tree."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 14 mei 2002)

**Defence Minister Sergei Ivanov:** "Neither side...surrendered any national interests while drafting this agreement. This agreement is the result of a compromise, like any other international agreement."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 15 mei 2002)

**Russian Foreign Minister Igor Ivanov:** "Everybody remembers the not easy start in our dealings with the current US administration. And now, too, differences remain between us, including those of a fundamental character. But in what matters most, our policy toward the US has fully acquitted itself. The US leadership and we have the understanding that existing problems should be dealt with on lines of dialogue, not confrontation. On this basis we have been able to advance substantially in the elaboration of a new strategic framework... Thus we are actually realising the first legally binding treaty which the administration of George Bush will sign. Of course, this is a compromise document. It will probably be criticised, asserting that more could have been achieved. I can assure you that we, too, those who were conducting the negotiations, wanted more. The most important thing is that we have preserved the negotiating process on these complicated issues. And we hope that this is the first step within the framework of possible future accords."  
(Addressing a joint session of the International Affairs Committees of the Duma and Federation Council, 21 mei 2002)

**Former Soviet President Mikhail Gorbachev:** "It's good that our President has succeeded in his push for a legally binding treaty complete with timeframe and control mechanisms..."  
([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 23 mei 2002)

**Alexei Arbatov, Vice Chair of the Russian Duma's Defence Committee:** "If previous arms control treaties can be described as hard prose, the new treaty is a romantic poem... The quite long list of our proposals on limiting and cutting the US forces was not accepted in any way. ... [H]aving agreed on ceilings, the parties did not quite specifically agree on how to count those ceilings. Again another unique aspect of the new treaty is that...it has no rules of 'netting', no systems of verification and inspection, and no procedures for cuts and dismantling."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 24 mei 2002)

**Colonel General Yuri Baluyevsky, Deputy Chief of Staff of the Russian Armed Forces:** "We now have the opportunity to develop our nuclear forces as we like... [But] where is the guarantee that the nuclear weapons put in storage don't fall into the hands of some kind of bin Laden who would threaten the entire world."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 24 mei 2002)

**Retired Major General Vladimir Dvorkin, former senior arms control official:** "The positive meaning of the new treaty is that once again it has fixed the equal status of Russia and the United States as two nuclear superpowers, and fixed that relation for a rather long time."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 24 mei 2002)

**Retired General Vasily Lata, former Deputy Chief of Staff of Russian strategic forces:** "The treaty has untied Russia's hands."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 24 mei 2002)

**President Vladimir Putin:** "Not only is the treaty...suited to present day realities, it gives a correct, sure signal for the lines of our cooperation. It is no secret that the powers of the nuclear club are now improving their potentials in this field, and that the threshold countries too seek to legalise their nuclear status. In my view, and in the view of my American counterpart, this is one of the key problems of the contemporary world. And that we gave a sure signal...is very important...from the viewpoint of non-proliferation. In this connection, I very much hope that the US Congress will eventually ratify the Comprehensive Nuclear-Test-Ban Treaty."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 26 mei 2002)

**Russian Communist Party leader Gennady Zyuganov:** "The Russian-American treaty has effectively destroyed the Russian nuclear shield."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 30 mei 2002)

#### Verenigd Koninkrijk

**UK Foreign Office Statement:** "The UK warmly welcomes the signing in Moscow today by Presidents Putin and Bush of a bilateral treaty to make significant reductions in the numbers of Russian and US strategic nuclear weapons. ... Taken together with the agreement on a new NATO-Russia Council...this represents a massive transformation in Russia's relations with the West."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 24 mei 2002)

#### Verenigde Naties

**Statement by spokesperson for UN Secretary-General Kofi Annan:** "The Secretary-General welcomes today the announcement that the United States of America and the Russian Federation have agreed to sign a treaty to reduce their deployed strategic nuclear weapons substantially by the year 2012. The signature of the treaty in Moscow by Presidents Bush and Putin next week will be a positive step in the direction of nuclear disarmament and contributes to the fulfillment of the obligations of the two countries as nuclear-weapon states under the Treaty on the Non-Proliferation of Nuclear Weapons."

(www.acronym.org.uk/dd/dd65/65nr02.htm, 14 mei 2002)

**Jayantha Dhanapala, UN Under-Secretary-General for Disarmament Affairs:** "The recent agreement...is clearly a step in the right direction, insofar as both countries are finally back to the business of concluding

legally-binding agreements to reduce their deployed strategic nuclear forces... We are still, however, far from realising our common vision of a world without nuclear weapons. The next vital step in this process is to ensure that the reductions in these operationally-deployed strategic nuclear weapons will be irreversible and that each side - indeed the world - will know that the warheads are actually being destroyed, rather than just stored for possible future use."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 30 mei 2002)

#### Verenigde Staten

**Assistant Secretary of Defense J.D. Crouch:** "A point we've been trying to make is that in fact the reality is that there is no such thing as 'irreversible'. Given enough time and given money and given will, anything can be reversed."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 2 mei 2002)

**National Security Adviser Condoleezza Rice:** "When you remove warheads from delivery systems, you are making the nuclear arsenal smaller... We will clearly destroy some warheads."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 13 mei 2002)

**Democratic Senator Jack Reed:** "The best reduction, the most final reduction, is to destroy the warheads..."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 13 mei 2002)

**Democratic Representative Ellen Tauscher:** "[This is] three pages of talking points, called a treaty... The consequences of simply storing nuclear weapons instead of dismantling them poses a dangerous challenge for Russia and a threat to American security..."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 14 mei 2002)

**Unnamed senior administration official:** "What we have now agreed to do under the treaty is what we wanted to do anyway. That's our kind of treaty. ... A lot of the credit is due really to the Russian side for concluding that the road we were travelling was not necessarily going to get us an agreement by the summit... They decided analytically that it was only going to be possible to agree on the kind of measures the two Presidents had [already] talked about, so a lot of these other issues...they decided were not central to the objectives of the President. That enabled us to respond very quickly..."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 14 mei 2002)

**Former US Secretary of Defense Robert McNamara:** "Forget [the issue of] warheads in storage for a moment. If we go down to 2,200 and they go down to 2,200, if my mathematics is correct that's 100,000 times the destructive power of the Hiroshima bomb. Does that reduce the nuclear risk to any acceptable level? If not, what are we going to go about it?"

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 14 mei 2002)

**Defense Secretary Donald Rumsfeld:** "We didn't need this treaty, in a sense. I mean, the president announced he was going to go down to 1,700 to 2,000, regardless of what the Russians did. And then Mr. Putin announced that he was going to do that. The agreement is useful, I suppose. But we were going to do what we were going to do, regardless."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 21 mei 2002)

**President Bush:** "[This treaty is] going to be important to show the world that we're no longer enemies, we no longer have stockpiles of these horrible weapons..."

(Interview met Itar-Tass and ORT television, 22 mei 2002)

**National Security Council spokesperson Michael Anton:** "The verification stuff, all of that is going to go into the implementation agreement. These are essentially the details, the nitty-gritty, and it's being worked on, but it's not done. It may take a little while."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 24 mei 2002)

**Karl Inderfurth, senior State Department official under President Clinton:** "We want to make sure these are clear reductions, and not just accounting reductions. It is clearly an important step in establishing this new strategic relationship... It does not, as President Bush has suggested, liquidate the Cold War legacy of our nuclear relationship."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 24 mei 2002)

**Secretary of State Powell:** "All previous arms control treaties were of the same type - they didn't deal with the stockpile elimination, they dealt with either launchers or systems. And so this is consistent with those previous treaties - SALT I, SALT II, START I, START II, and the INF Treaty. The important point is that warheads are coming off launchers. ... So I think it is an historic treaty which serves the interest of both nations, both peoples, and makes it a safer world, as we reduce the number of launchers that are sitting there with warheads on them, and as we then turn our attention to how do we get rid of those weapons in stockpiles that are really not necessary... And over time, I think you will see that happen. Nothing in this treaty keeps anybody from destroying warheads that they no longer need which are in stockpiles."

([www.acronym.org.uk/dd/dd65/65nr02.htm](http://www.acronym.org.uk/dd/dd65/65nr02.htm), 25 mei 2002)

**Democratic Senator Joseph Biden, Chair of the Foreign Relations Committee:** "[W]hile the treaty as a whole is a step forward, some of its specifics risk moving us backward. The treaty does not require the actual destruction of a single missile or warhead. Rather, each country may warehouse its weapons and redeploy them later. Unfortunately, persistent security shortcomings in Russia mean that warheads in storage are more likely to fall into the hands of rogue states or terrorists than if they remained attached to missiles. The treaty allows Russia to place multiple warheads on its intercontinental ballistic missiles, contrary to long-standing US arms control goals. ... The treaty sets no schedule for reductions and provides no tools to verify each side's compliance."

(Article in The Washington Post, 28 mei 2002)

# INTERNATIONAAL STRAFHOF

## INLEIDING

De houding van de Verenigde Staten met betrekking tot het Internationaal Strafhof, waar wij eerder over berichten in nummer 1 uit onze reeks Facts and Reports, werd nog eens extra duidelijk door een aantal gebeurtenissen in de afgelopen maanden. Waar de Amerikaanse Senaat in december 2001 Amerikaanse deelname aan het Strafhof al blokkeerde, ging zij afgelopen juni ook akkoord met een wetsontwerp van de extreem-rechtse senator Jesse Helms, dat deel uitmaakt van de Amerikaanse Servicemembers Protection Act (ASPA). Dit wetsontwerp stelde verregaande maatregelen voor om Amerikaanse militairen buiten jurisdictie van het Internationaal Strafhof te houden. De meeste beroering werd veroorzaakt door het feit dat het wetsontwerp onder voorwaarden militair ingrijpen in Nederland autoriseert. Er zou geweld gebruikt kunnen worden om Amerikaanse gevangenen van het Strafhof, dat in Den Haag komt, te bevrijden.

De angst dat Amerikaanse militairen die deelnemen aan VN-vredesmissies aangeklaagd kunnen worden voor het Internationaal Strafhof, leidde ertoe dat de Verenigde Staten pogingen ondernamen om met meer dan honderd landen bilaterale akkoorden te sluiten om Amerikaanse militairen van berechting door het Strafhof te vrijwaren. Daarnaast eisten zij eind juni in de Veiligheidsraad immunitet voor Amerikaanse soldaten bij internationale vredesoperaties. Toen aan deze eis niet werd voldaan, spraken zij hun veto uit tegen voortzetting van de VN-vredesmissie in Bosnië. De Veiligheidsraad haalde vervolgens grotendeels bakzijl door unaniem in te stemmen met een voorstel van de Verenigde Staten waardoor Amerikaanse militairen in de praktijk voor een jaar zijn vrijgesteld van vervolging door het Strafhof.

Vervolgens trachtten de Verenigde Staten met individuele landen bilaterale verdragen te sluiten waarin staat dat men geen militairen van de andere partij aan het Strafhof zal uitleveren. Vooralsnog is bekend geworden dat de VS daadwerkelijk zulke verdragen hebben gesloten met Roemenië en met Israël. Militaire hulp aan landen die het verdrag niet willen tekenen kan geweigerd of ingetrokken worden, zo bepaalde het Amerikaanse Congres.

De EU waarschuwde in een openbare verklaring de potentiële lidstaten niet in te gaan op het verzoek dergelijke verdragen aan te gaan. De Verenigde Staten reageerden hierop met de opmerking dat de EU niet moet interveniëren in de Amerikaanse politiek.

## CITATEN

### African Group

**Delegate from Burundi, on behalf of the African Group:** “The African Group believes that the adoption of such a proposal would be a violation of the letter and spirit of the Rome Statute.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

### Amnesty International

“Amnesty International is dismayed at the unlawful decision by all members of the Security Council to oblige the International Criminal Court (ICC) to exempt peace-keepers from prosecution. The Council acted on proposals initially introduced by the US, which opposes the ICC, and in close cooperation with the UK. [...] The United States put much pressure on the other members of the Security Council to do what the majority of UN member states unequivocally oppose. Investigations and prosecutions for the gravest crimes should never be obstructed, nor should double standards ever be created for peacekeepers or anyone else.

Security Council Resolution 1422 seeks to undermine the Rome Statute. Although the resolution's text uses words close to those in Article 16 of the Rome Statute, they are nothing but a smokescreen. The resolution still contravenes the letter, the spirit and the drafting history of that article - the inclusion of which Amnesty International strongly opposed. [...] The changes made after weeks of wrangling in the Security Council when the US held approval of peace-keeping operations hostage as long as its demands for exemption were not met, are without substance. The resolution still attempts to prevent the ICC from investigating or prosecuting a case of a national of a non-state party to the Rome Statute who participates in a UN operation for genocide, crimes against humanity or war crimes, unless the powers represented in the Security Council decide otherwise.

By attempting to block countries who are party to the treaty from fulfilling their legal obligations, for a

renewable period of one year, resolution 1422 strikes at the heart of the principles of justice embodied in the ICC.

Amnesty International applauds the resolve of the many countries not on the Security Council who have spoken out strongly in defence of the integrity of the Rome Statute and urges them to press the Security Council not to renew the resolution next year which attempts to grant US nationals immunity from investigation and prosecution for genocide, crimes against humanity, and war crimes in the ICC.”

(Public Statement, 15 juli 2002)

“Amnesty International is deeply concerned by proposals made by the United Kingdom and the United States of America to introduce language into Security Council resolutions that would exempt United Nations peacekeepers from the jurisdiction of the International Criminal Court and any national court other than a court of the contributing state, and possibly from the jurisdiction of the International Criminal Tribunal for the former Yugoslavia.

The first paragraph of the proposed text embodying these proposals provides that the Security Council will automatically request the International Criminal Court to defer any investigation or prosecution involving current and former officials and personnel from a contributing state that is not a state party to the Rome Statute of the International Criminal Court for acts arising out of UN established or authorized operations. The Security Council would also decide in advance that for such acts, occurring during a 12 months deferral period, the contributing states shall have and retain jurisdiction to investigate and prosecute.

The second paragraph would provide that the deferral and the decision would automatically be renewed for successive one year periods, unless the Security Council decides otherwise.

These proposals take away the jurisdiction of the International Criminal Court to decide these questions and as such violate the integrity of the Rome Statute and undermine the rule of law by in effect granting immunity to nationals of non-states parties to the Rome Statute responsible for the worst possible crimes.

Amnesty International calls upon all members of the Security Council to reject this proposal or any proposal that would undermine the integrity of international justice.”

(Open Letter to all members of the Security Council, 2 juli 2002)

#### Arabische landen

**Delegate from Syria, on behalf of Arab countries:** “...[The inclusion of Article 16 in the Rome Statute] did not grant the Security Council the automatic right to grant exemptions. ...We appeal to the Security Council to assume it responsibility and not accept these exemptions because that might damage the credibility of the Court before it is born. We oppose this resolution.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

#### Brazilië

**Ambassador Gelson Fonseca, Jr., Representative of Brazil:** “[I]n our view this predicament is based on a false dilemma. Maintenance of international peace and security and the repression of heinous crimes committed against humanity are not – and by all means cannot be viewed as if they were – two conflicting objectives. ...Brazil has already taken its own decision with respect to the ICC and fully respects what others may decide in accordance with their own interest and perceptions. We were nevertheless struck by the very unusual decision to “unsign” an international legal instrument negotiated in good faith. ...The United Nations cannot intervene (nor authorize military intervention) in any specific situation just to end up by denying the very values upon which the Organization is founded. ...The Security Council cannot alter international agreements that have been duly negotiated and freely entered into by States-Parties. ...[W]e believe that renewal of peacekeeping mandates should not be made hostage to any country’s individual perceptions and that a provisional ‘modus operandi’ should be established.”

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

#### Canada

**Delegate from Canada:** “Canada is deeply disturbed by the discussions currently underway in the Security



Council concerning a sweeping exemption from national and international jurisdiction for peacekeepers. We understand that the United States has strong concerns about the International Criminal Court, although we do not agree with them, given the extensive concessions and safeguards to preclude frivolous prosecutions. No one could, or would want, to force the United States or any other UN member to become a party to the ICC statute.

In any event, all countries, including the United States, have several options to protect their interests without vetoing peacekeeping missions. The US could decline to participate in those missions where it believed its troops could be at risk. It could negotiate appropriate bilateral arrangements with receiving states. There is therefore no reason for other States to be prevented from carrying out UN peacekeeping operations, particularly as it is other States that contribute the vast majority of personnel to these operations. This morning's New York Times indicates that the US is providing 704 personnel out of a total of some 45,000 UN peacekeepers.

This exercise of the veto gives the unfortunate impression that peacekeeping is being held hostage. What is now at stake is not the ICC versus peacekeeping. In fact, fundamental issues of international law and international relations are in jeopardy. First, the proposed resolution would set a negative precedent under which the Security Council could change the negotiated terms of any treaty it wished, e.g. the NPT, through a Security Council resolution. This would undermine the treaty-making process. The proposal now under discussion would dramatically alter and undermine the Rome Statute. Article 16 was intended to be available to the Security Council on a case-by-case basis, where a particular situation required a twelve-month deferral in the interests of peace and security. Article 16 was the product of protracted and delicate negotiations. Most states were opposed to any Security Council interference in ICC action, regarding it as inappropriate political interference in a judicial process. The requirement for specific action and reconsideration after twelve months was the sole basis on which this provision was acceptable. The Security Council should not purport to remove that fundamental cornerstone. Those states that have pledged to uphold the integrity of the Statute have a special responsibility in this regard. The proposal now under discussion is a radical extension of Article 16, seriously altering the Statute and the role of the Security Council.

Second, the proposed resolution perversely implies that in upholding the most basic norms of humanity, the ICC is somehow a threat to international peace and security. In fact, the precise opposite is true. We have just emerged from a century that saw the works of Hitler, Stalin, Pol Pot, Idi Amin and Slobodan Milosevic, and the Holocaust and the Rwandan genocide. Surely, we have all learned the lessons of this bloodiest of centuries, which is that impunity from prosecution for grievous crimes must end.

Third, this proposed resolution would send an unacceptable message that peacekeepers are above the law. It would entrench an unconscionable double standard in international law. Fourth, we must recall that under the principle of complementarity, the ICC may only step in where impunity would otherwise result. Where the sending state is willing and able to investigate an alleged crime, the Court is precluded from exercising jurisdiction. Thus, to block the ICC is to permit impunity and to do so unnecessarily. Let me repeat: where sending states decline to prosecute alleged perpetrators, this proposed Security Council resolution would deliver them impunity for genocide, crimes against humanity and war crimes. No one in this room believes that the US government and the American legal system would turn a blind eye to allegations of such grievous crimes. And when the US acquitted itself of its obligations to investigate, and if necessary prosecute perpetrators, as it would, the Court would be blocked. Fifth, the proposed sweeping exemption excludes not only ICC jurisdiction but also national jurisdiction. Thus, it would sweep aside other well-established jurisdictional principles, including the "grave breaches" provisions of the Geneva Conventions. It displaces customary principles relating to accountability for crimes against humanity and genocide. The attempt by the Security Council to do so may even contradict jus cogens norms of accountability for these

crimes.

Adoption of this proposal could place Canada in the unprecedented position of having to examine the legality of a Security Council resolution.

Sixth, such a step would undermine the standing and credibility of the Security Council itself because its mandate to maintain peace and security should not be used for other purposes.

Canada has pressed this matter vigorously and tirelessly on all possible fronts over the past few weeks.

We have engaged in demarches, interventions and statements at NATO, at the OSCE, in Sarajevo, in Washington, indeed in capitals of all Security Council members, in New York at permanent missions and with Security Council members at meetings.

Last week I sent a letter to all members of the Security Council urging them not to endorse a blanket immunity for the most serious crimes.

I repeat that plea again today.

The proposed resolution avoids the word "immunity" but in fact has precisely the same effect as the proposal decisively rejected by the Security Council members.

We appeal to members of the UN Security Council to ensure that essential principles of international law not be compromised.

And that a solution to this problem be found that preserves the indispensable instrument of UN peacekeeping.

We remain convinced that the concerns expressed by the US can be addressed in ways that do not compromise the Court or international law, or place the UN Security Council in the untenable position of risking a return to impunity for genocide, crimes against humanity and war crimes."

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

**Ambassador Paul Heinbecker, Representative of Canada:** "My government is deeply worried by discussions that have taken place in Security Council concerning sweeping exemptions for peacekeepers for the most serious crimes known to humanity. ...The current debate has been mischaracterized as a choice between peacekeeping and the ICC. In fact, the stakes are actually different and even higher. Fundamental principle of international law and the place of those principles in the conduct of global affairs are in question. ...We appeal to members of the UN Security Council to ensure that essential principles of international law, and the spirit and letter of the Rome Statute, not be compromised. ...We have just emerged from a century that saw the works of Hitler, Stalin, Pol Pot, Idi Amin and Slobodan Milosevic, and the Holocaust and Rwandan genocide. Surely, we have all learned the fundamental lesson of this bloodiest of centuries, which is that impunity from prosecution for grievous crimes must end."

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

#### Coalition for the International Criminal Court

**William Pace, Convenor:** On behalf of the Coalition for the International Criminal Court, a coalition of more than one thousand non-governmental organizations working to ensure that the International Criminal Court, which came into existence on Monday, 1 July 2002, is an independent, fair and effective institution, I am writing to urge you again to reject the two new proposals reportedly circulated by the United States of America (USA), (note that governments have indicated that the first was drafted or supported by the United Kingdom), to members of the UN Security Council that would gravely undermine the effectiveness and integrity of the Rome Statute of the International Criminal Court and the entire treaty-making process of the United Nations. These proposals represent an affront to international law and the rule of law.

The Coalition welcomed the Council's recent rejection of similar initiatives by the USA, seeking to obtain an exemption for US nationals serving in the peace-keeping mission in East Timor and in renewing the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH). We again urge you to squarely reject these new initiatives, which violate the letter and spirit of the Rome Statute of the International Criminal Court as well as international law.

The new paragraphs are a continued attempt by the USA, now apparently joined by the UK, designed to exempt USA nationals participating in UN peace-keeping operations abroad from the jurisdiction of the International Criminal Court if they were suspected of having committed war crimes, crimes against humanity or genocide.

The first proposal and paragraph, which newswires are reporting as a US proposal but governments have said is advanced by the UK, would add a clause to a draft general resolution that, according to government sources, is reportedly as follows:

Acting under Chapter 7 of the UN Charter:

1. Requests pursuant to Art. 16 of the Rome Statute, that the ICC defer for a twelve month period investigations or prosecutions involving current and former officials and personnel from a contributing state (not a party to the Rome Statute) for acts arising out of UN established or authorized operations, and decides that, for such acts occurring during such 12 month period, such states shall have and retain jurisdiction to investigate and prosecute.

The second paragraph reportedly put forward by the USA, or based on a proposal by the USA, is:

2. Decides by this resolution, in accordance with the requirements of Article 16, that on July 1<sup>st</sup> of each successive year, the request for the deferral and the decision, as contained in paragraph 1, shall be renewed and extended to include acts that occurred during successive 12 month periods thereafter, unless the Security Council decides otherwise, and directs the Secretary General to communicate these requests to the ICC.

We commend the rejection on June 30 of the proposals by the USA in the Security Council. We are concerned now that another permanent member (UK) may be advancing a proposal(s) that represents a serious threat to vital issues of principle in the Rome Statute and in international law. Both paragraphs, separately or together, would, in effect, amend the Rome Statute and the jurisdiction of the Court, by means of a Security Council resolution. The Rome Statute is a treaty that has been signed by 139 states and already ratified by 76 states as of 2 July 2002.

Approving either or both of the above paragraphs would have a far-reaching and devastating effect on international law. The proposals violate Article 16 of the Rome Statute. The UN Charter requires that all UN Member States must implement Chapter VII Security Council resolutions. If the US resolutions were adopted, it could force all countries that have ratified the Rome Statute to breach their treaty obligations. This would set a disastrous precedent under which the Security Council could, in effect, change any treaty it wished through a Security Council resolution. This would severely undermine the treaty-making process, as well as the credibility and effectiveness of the Security Council.

The Coalition strongly supports the integrity of the Rome Statute and cannot support the exclusion of peacekeepers from the jurisdiction of the ICC. No person should be immune from prosecution for genocide, crimes against humanity or war crimes, as stipulated by article 27 of the Rome Statute. The Rome Statute already contains many safeguards and stipulates that states retain primary responsibility to investigate and prosecute crimes committed by their nationals. The new proposal(s) would send a very dangerous signal that peacekeepers are above the law if they commit one of the grave crimes within the jurisdiction of the ICC, as there would be no recourse if the troop-contributing country failed to investigate an allegation of these most serious crimes. It would also undermine the efforts of peacekeepers around the world involved in bringing to justice those accused of genocide, crimes against humanity and war crimes. The first paragraph also specifically prevents national prosecutions by all Member States, except the contributing nation, which is a further intrusion on national and international law by the Security Council.

Again, the new proposals undermine the Rome Statute; they undermine UN treaty- making principles, they undermine peacekeeping; they undermine international law and the rule of law.

The future of the Court as an independent institution, the integrity of the Rome Statute and international justice are at stake. We ask you to reject these proposals.

(Open Letter to Members of the UN Security Council, 2 juli 2002)

## Duitsland

**Ambassador Hanns Schumacher, Representative of Germany:** “The Security Council has been asked to invoke Chapter VII of the UN Charter beyond the extension of the UNMIBH mandate to obtain immunity for peace mission personnel. Chapter VII of the UN Charter requires the existence of a threat to the peace, breach of the peace, or an act of aggression – none of which in our view are present here. ...It is the strong belief of Germany that – beyond the case-by-case possibilities clearly contained in Article 16 of the ICC Statute – the Security Council would do itself and the world community a disservice if it passed a resolution under Chapter VII of the UN Charter to, in effect, amend an important treaty ratified by 76 States. ...It is only a theoretical possibility that [peace mission personnel] would commit crimes falling under the jurisdiction of the ICC. To

assert the necessity to exclude this merely theoretical possibility in our view is tantamount to compromising both the Rome Statute and the integrity of mission personnel.”

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

#### Europese Unie

**Delegate from Denmark, on behalf of the European Union:** “The EU deeply regrets that [these proposals] has placed the members of the Security Council in a difficult situation with regard to support for UN peacekeeping and adherence to their commitment to the Rome Statute. The EU welcomes and affirms the positions set out in the statements made in explanation of vote in the Security Council by EU members France, Ireland and the United Kingdom, concerning immunity of peacekeepers.

The EU hopes that members of the Security Council will adhere to strong appeal of the Secretary General. The EU would accept any solution that respects the Statute and does not undermine the effective functioning of the Court...”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

**Ambassador Ellen Margrethe Loj, Representative of Denmark, on behalf of the European Union:** “It is understandable that the United States is seeking protection from politically motivated accusations. The EU however believes that these concerns have been met and that sufficient safeguards against politically motivated accusations have been built into the Statute. ...Let me stress that the European Union attaches great importance to the continued and major contributions of the United States to peacekeeping missions around the world. It is not least in the Balkans that the United States plays an indispensable role; we are well aware that the United States and the European Union share the view that the people of Bosnia do not deserve to pay the price of this unfortunate situation. ...We strongly urge all members of the Security Council to do their utmost in order to reach a solution that does not harm the integrity of the Rome Statute of the International Criminal Court and which ensures the uninterrupted continuation of UN peacekeeping operations.”

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

Europese Commissie: „Het is duidelijk dat kandidaat-landen op z'n minst zouden moeten deelnemen aan discussies op EU-niveau”, zegt de woordvoerder van de EU-coördinator voor het buitenlands beleid, Javier Solana. De Commissie heeft de kandidaat-landen intussen uitgenodigd haar te raadplegen en te wachten tot duidelijk is wat de juridische consequenties zijn van een overeenkomst met de VS, zegt een woordvoerder. De Europese Unie vindt dat alle landen die het verdrag van het internationale Strafhof hebben ondertekend zich ook aan het verdrag moeten houden. „Het moet worden toegepast. Er zou, indien mogelijk, niet vanaf moeten worden geweken.”

(De Standaard, Europa en VS ruzieën over Internationaal Strafhof, 14 augustus 2002)

#### Fiji

**Delegate from Fiji:** “The Security Council should remain steadfast in its role to maintain international peace and security. ...This resolution [before the Security Council] will effectively kill the Court before it is born...We ask countries on the Security Council to vote against these proposals, and maintain the integrity of the Rome Statute and international law.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

#### Frankrijk

**Ambassador Jean-David Levitte, Representative of France:** “As [the Rome Statute] stands, it offers the United States much more substantial safeguards than the ICTY statute, which, however, has never initiated any concern in Washington. ...France has made a precise proposal concerning Article 16. We are ready to discuss it, within the limits allowed by law. However, it cannot accept a modification, through a resolution by the Security Council, against the disposition of the treaty. ...If Washington were, at the end of the week, to confirm its veto countering the UNMIBH, and then, from renewal to renewal, utilize vetoes against other missions, who would take over these [peacekeeping] efforts and forces? ...We must not hold [these peacekeepers] hostage. We must

think of all those people for whom they represent the only hope for peace and progress. ...Concerning the UNMIBH, if we do not come to a good agreement on the ICC by the end of the week, we should decide to extend, for a last time, its mandate until December 31, as is projected by the resolution presented by Bulgaria. In answer to the American concerns, we could, as suggested by the Secretary General, add to this text a paragraph underlining the primacy of jurisdiction of the ICTY over that of the ICC.”

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

#### Ierland

**Ambassador Richard Ryan, Representative of Ireland:** “While we understand the concerns of the US, we do not feel that they are well-founded. Nor can we agree to the mechanism that it has proposed, hitherto, to allay them. ...We are disturbed by the possibility that the present exercise could have adverse effects on the credibility and prestige of the Security Council itself, if it is not handled adroitly. ...There are a number of important, essentially free-standing, but now politically intertwined factors involved here: the role of the Security Council and how it functions; the primacy and integrity of international law; the future of United Nations peace operations; and the crucial role that the United States has to play in support of these operations.”

#### Iran

Ambassador Mohammed H. Fadaifard, Representative of Iran: **“My delegation regrets the one-sided approach by one member of the Security Council, which frequently resorts to veto to serve its own national interests, is, inter alia, putting in jeopardy the future of the UN peacekeeping. The threat to do the same with regard to other peacekeeping mandates that come up for renewal is all the more troubling. Undoubtedly, such as approach runs counter to the spirit and letter of the UN Charter, especially Article 24, which maintains that the Council acts on behalf of the general membership.”**

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

#### Liechtenstein

**Delegate from Liechtenstein:** “The issues [being debated] are not new. Indeed, they have been discussed in a legally-sound and politically-circumspect manner [in Rome]. ... We find these resolution unacceptable for two reasons: For one, concerns regarding frivolous and politically-motivated cases were addressed in the Rome Statute in a substantive manner; ... and second, the mandate of the Security Council, clearly laid down in the UN Charter, does not include competence in treaty-making. ...We expect the Security Council to act in its mandate and keep the integrity of the Rome Statute.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

#### Like-Minded Group

**Delegate from Australia, on behalf of the Like-Minded Group:** “As chair of Like-Minded Group, we have serious concerns about the development in the Security Council. Members of the Link-Minded Group are, in particular, committed to the principle of fully safeguarding the integrity of the Rome Statute.

...The Like-Minded Group expects the Security Council to resolve this matter in a way that fully respects this Statute and international law.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

#### Nederland

**Jozias van Aartsen, Minister van Buitenlandse Zaken:** “Alle inspanningen moeten erop worden gericht een voortgaande deelname van de VS aan vredesoperaties te verzekeren zonder dat afbreuk wordt gedaan aan het Statuut van het Strafhof. Het moet mogelijk zijn de VS ervan te overtuigen dat het Strafhof er niet is om peacekeeperste berechten. Als al ooit in de toekomst Statuutmisdrijven zullen worden begaan door

Amerikaanse peacekeepers ligt het voor de hand dat een Amerikaans strafrechtelijk optreden hiertegen iedere rol voor het Strafhof overbodig zal maken. In overleg met EU en like-minded partners die actief deelnemen aan vredesoperaties en partij zijn bij het Statuut zal Nederland moeten blijven proberen een uitweg te vinden. Daarbij moet de datum van 1 juli a.s. – wanneer het Statuut in werking treedt – niet als al te knellend worden gezien. Per 1 juli worden immers wel de jurisdictiebepalingen van het Strafhof van kracht, maar van een daadwerkelijke toepassing daarvan kan pas sprake zijn wanneer het Hof operationeel is.  
(Brief aan de Tweede Kamer (27925 – nr. 62), Den Haag, 26 juni 2002)

**Jozias van Aartsen en Frank de Grave, Ministers van Buitenlandse Zaken en van Defensie:** “Wij blijven van mening dat alle inspanningen er op gericht moeten zijn een voortgaande deelneming van de Verenigde Staten aan vredesoperaties te verzekeren zonder dat afbreuk wordt gedaan aan het Statuut van het Internationale Strafhof.”  
(Brief aan de Tweede Kamer (22181 – nr. 355), Den Haag, 3 juli 2002)

#### Nieuw-Zeeland

**Delegate from New Zealand:** “It is not open to the members of the Security Council to hijack Article 16 of the Statute. ...It would damage the moral authority of UN forces,... and protext them from taking responsibility for their actions. ...To exempt peacekeepers is a double-standard. ...The gains made in Rome should not be sacrificed, only three days after it's entry into force.”  
(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

#### Overig

**Anonieme Europese topdiplomaat:** “Dit [Amerikaanse veto in de Veiligheidsraad] is volledig van de gekke. Het extremisme viert hoogtij. En dan te bedenken dat dit alles door de hoogste spelers in Washington is afgezegd.”  
(NRC Handelsblad, Irritatie in Europa over ‘extremisme’ VS, 6 juli 2002)

**Anonieme VN-diplomaat, New York:** “Deze confrontatie tussen de VS en de VN maakt duidelijk dat de Amerikaanse regering zich niet veel gelegen laat liggen aan de rest van de wereld. We hadden net de problemen van de Amerikaanse VN-schuld een beetje opgelost en nu dit weer. Er heerst hier een soort moedeloosheid.”  
(NRC Handelsblad, Irritatie in Europa over ‘extremisme’ VS, 6 juli 2002)

**Ambassadors of New Zealand, South Africa, Brazil and Canada:** “This letter is in relation to the draft resolution S/2002/747, currently under consideration by the Security Council under the agenda item of Bosnia-Herzegovina, but dealing in fact with the International Criminal Court. The consideration of this matter, under a Chapter VII resolution by the Security Council, is a matter of grave concern, as a large number of member States have already expressed in the open debate held on 10 July. Since in spite of the clear opposition of the international community to the Council's adopting the kind of resolutions it is discussing, the Council continues nevertheless to pursue this matter, we feel that it is our obligation to point out specifically that Council action is damaging international efforts to combat impunity, the system of international justice, and our collective ability to use these systems in the pursuit of international peace and security.

Leaving aside the legitimacy of the Security Council's arrogating to itself the right to interpret and to change the meaning of treaties, which we challenge, we wish to focus on one of the unacceptable consequences of passage of the draft resolution "put into blue" yesterday.

The International Criminal Court was always intended as a court of last resort filling a void where states fail to undertake their international responsibilities to prosecute perpetrators of grievous crimes. The net effect of Operative Paragraphs 1 and 2 of S/2002/747 will be to remove that possibility in the specific cases of peacekeepers who may have committed crimes under the Court's jurisdiction, if that peacekeeper comes from a state not Party to the Rome Statute. Further, the request to the Court in the draft resolution would be renewable on an annual basis which, for all intents and purposes, would amount to creating a perpetual obstacle to Court action.

Operative paragraph 3 has the effect of directing states not to cooperate with the ICC if that co-operation is in

relation to such a peacekeeper. This means, that if such a person were to be found in one of our countries, and the ICC wished to investigate or prosecute having fully taken into account the principle of complementarity, the Council would have us refuse to surrender to the Court an alleged perpetrator of one of the three most grievous crimes.

While some States are able to prosecute under universal jurisdiction, many States do not have the ability or means to undertake such a prosecution. Should such an alleged perpetrator be found in a state that cannot exercise universal jurisdiction, that perpetrator would enjoy immunity from prosecution, the Council having putatively removed resort to the ICC.

We are confident that no highly trained, professional military personnel would engage in acts actionable under the ICC Statute. But no one can give the same confident assurance about all personnel involved in peacekeeping. This is why we have been urging that a solution be found on a bilateral basis, and that the coverage of the ICC not be removed from a whole class of international actors.

For this and the other reasons cited in our presentations in the open debate, we respectfully request members of the Council not to pass a resolution that would have such negative consequences.”

(Letter to the President of the UN Security Council, New York, 12 juli 2002)

#### Prepcom voor het Internationaal Strafhof

- The Preparatory Commission for the International Criminal Court, mindful of the Charter of the United Nations, and in particular its provisions relating to the powers and functions of the Security Council, is deeply concerned about the current developments in the Security Council regarding the International Criminal Court and international peacekeeping.
- The Preparatory Commission calls on all states to safeguard the independent and effective functioning of the International Criminal Court that is complementary to national jurisdictions.
- The Preparatory Commission appeals to the member states of the Security Council to ensure an outcome of those developments which fully respects the letter and spirit of the Rome Statute of the International Criminal Court.

(Brief aan de president van de Veiligheidsraad, 3 juli 2002)

#### Rio Group en Caraïbische Staten

**Chargé d'affaires Maria Elena Chassoul, Representative of Costa Rica, on behalf of the Rio Group** (which includes Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Rep., El Salvador, Guatemala, Honduras, Ecuador, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela and Guyana) **and on behalf of the Caribbean States:** "Member States of the Rio Group cannot accept the undermining of the Rome Statute. We consider it more than necessary to maintain the integrity of the Rome Statute's provisions. It is our position that any proposed amendments to its provisions have to respect the rules and procedures established under general principles of International Law, Treaty Law and in the Rome Statute itself. In this respect, we are concerned of any initiative that attempts to modify substantially the provisions of the Rome Statute through a Security Council resolution. The adoption of this kind of proposal is beyond the mandate of the Security Council and will seriously affect its credibility and legitimacy. ...The Rio Group urges the Security Council to find a solution to the current impasse that respects the letter and the spirit of the Rome Statute that assures the efficacy and legitimacy of this institution."

(Statement at the Open Meeting of the Security Council, 10 juli 2002)

#### Southern African Development Community

**Delegate from Malawi, on behalf of the Southern African Development Community:** "The Southern African Development Community regrets the developments in the UN Security Council, which are clearly aimed at undermining the integrity of the International Criminal Court."

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

## United Nations Association of the USA

**William H. Luers, President:** “Today the United States stands at a crossroads that will determine the future of United Nations peace operations, the global campaign against terrorism, and America’s leadership in the world. For reasons that have not been persuasively argued, the United States has vetoed a Security Council resolution that would renew the U.N. police training operation in Bosnia-Herzegovina, thereby jeopardizing the continuation in that country of the Stabilization Force established by the 1995 Dayton Accords and authorized by the Security Council. (In fact, the police-training contingent in Bosnia-Herzegovina is likely to complete its mission in six months anyway.) On July 3 there will be another opportunity for the United States either to veto another Security Council resolution on this issue or to approve reasoned language that could permit the renewal of these vital operations in a society still struggling to emerge from genocide and the ravages of a long war. We believe the choice facing the United States is clear and that the Security Council should act unanimously to enable military and police operations in Bosnia-Herzegovina to continue.

This crisis in the U.N. Security Council extends far beyond the immediate requirements of Bosnia-Herzegovina.

All U.N.-authorized peace operations, including the deployment of international civilian police, now risk being held hostage by the United States to the unrelated issue of the jurisdiction of the International Criminal Court. In coming months, other critical U.N.-authorized operations will need to be renewed by the Security Council. By pursuing its campaign against the Court in the Security Council, its deliberations over peace operations, the United States will increasingly alienate and generate fierce opposition from our closest allies and friends around the world. In seeking an entirely unnecessary guarantee that Americans will be immune from all charges of genocide, crimes against humanity, and war crimes anywhere anytime—an embarrassing reversal of America’s long tradition of adherence to military and international law—the United States could find itself in the paradoxical situation of being the unrivaled military power whose security, and the security of whose citizens, is diminished around the world.

If September 11 taught America anything, it is that U.S. national security is directly tied to the stability and good governance of societies around the globe. U.N. peace operations are on the front line of that reality seeking, and often succeeding, in ensuring the peace and bringing warring parties into the fold of democracy. The United States has been—and must continue to be part of these critical endeavors. Otherwise, the protection of American interests will be sacrificed as our influence wanes and others determine the fate of societies in turmoil. The best way to protect American interests and ensure that the United Nations operates efficiently and wisely in its peace operations is to work with like-minded nations to fight terrorism and to maintain a strong American role in U.N. operations.

If the United States withdraws from the U.N.’s peacekeeping and civilian police operations, particularly following the kind of brinkmanship displayed in recent days, then U.S. leadership in the world will certainly decline. Our broader interests will be undercut, particularly the cooperation that we seek in our coalition-building to fight terrorism. Moreover, there will come a time when we will see it to our advantage to send troops into foreign territory again to protect U.S. interests. We will want to do that with other nations at our side. The countries most important in such coalitions are the very ones most offended by America’s resistance in the Security Council. That is a risk that will only endanger American society and U.S. service members serving bravely around the world. The United States is perilously close to committing an act of folly that will drag it into an isolated and perilous position in the world.”

(Statement, 2 juli 2002)

## Verenigde Arabische Emiraten

**Delegate from United Arab Emirates:** “The principle of granting immunity is an exception to the application of the Rome Statute, and this is a violation of the principles agreed upon when we established the Court. ... We recognize the need to prosecute criminals regardless of their origin and without discrimination.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

## Verenigde Naties

**Mary Robinson, UN High Commissioner for Human Rights:** "It's worrying and I'm concerned that the United



States has not just let the matter rest as it was - that they were unlikely to ratify - but has actually taken symbolically a much more serious step of disengaging from this whole process."  
(Reuters, Londen, 7 mei 2002)

**Kofi Annan, UN Secretary General:** "I am writing to you because I am seriously concerned at the development in the Security Council with respect to the extension of the United Nations Mission in Bosnia Herzegovina (UNMIBH) and the issue that the United States has raised in that connection following the entry into force on 1 July 2002 of the Rome Statute of the International Criminal Court (ICC).

The United States has put forward a proposal invoking the procedure laid down in Article 16 of the Rome Statute of the ICC. This provision means that the Security Council can intervene to prevent the Prosecutor of the ICC to proceed with a particular case. The article, which is meant for a completely different situation, is now proposed to be used by the Security Council for a blanket resolution, preventing the Prosecutor from pursuing cases against personnel in peacekeeping missions. Contrary to the wording of Article 16, which prescribes that such resolutions by the Council can be adopted for a period of 12 months, which period is renewable, it is proposed that the resolution is automatically prolonged, unless the prohibition is lifted. Any decision to this effect is subject to the necessary majority in the Council.

I think that I can state confidently that in the history of the United Nations, and certainly during the period that I have worked for the Organization, no peacekeeper or any other mission personnel have been anywhere near the kind of crimes that fall under the jurisdiction of the ICC. The issue that the United States is raising in the Council is therefore highly improbable with respect to United Nations peacekeeping operations. At the same time, the whole system of United Nations peacekeeping operations is being put at risk.

It is of course for the United States to decide what is in its interest. But let me offer the following thoughts.

First, the establishment of the ICC is considered by many, including your closest allies, as a major achievement in our efforts to address the impunity that is also a major concern for the United States. The development of this matter is followed by many and, in particular, the States that have ratified the Rome Statute and by non-governmental organizations. I fear that the reactions against any attempts at, as they perceive it, undermining the Rome Statute will be very strong.

Secondly, the method suggested in the proposal, and in particular its operative paragraph 2, flies in the face of treaty law since it would force States that have ratified the Rome Statute to accept a resolution that literally amends the treaty.

My concern is that the only real result that an adoption by the Council of the proposal would produce — since the substantive issue is moot — is that the Council risks being discredited. The purpose of this letter is to ask you to consider this aspect. I am confident that you share my view that it is not in our collective interest to see the Council's authority undermined.

The members of the Council do realize — as indeed I do — that the United States has a problem to which a satisfactory solution must be found. I am also aware that this may take some time. As a matter of fact, on 30 June, I pleaded with the members of the Council to give themselves sufficient time find such a solution.

In order to create additional time to solve the overarching issue, may I suggest that the United States at the present juncture relies on the fact that the jurisdiction of the ICC, as a matter of law, is overtaken by the jurisdiction of the International Tribunal for the former Yugoslavia. In reality, the situation with respect to international criminal jurisdiction in the territory of the former Socialist Federal Republic of Yugoslavia is the same after 1 July 2002, as before that date.

One solution may be for the Security Council to reconsider the extension of UNMIBH as proposed on 30 June, adding this time a preambular paragraph, in which the Council notes that the International Tribunal for the former Yugoslavia, which is established under Chapter VII of the Charter of the United Nations as a subsidiary organ of the Security Council, has primacy to exercise, on behalf of the international community, international jurisdiction over genocide, war crimes and crimes against humanity committed in the territory of the former Socialist Federal Republic of Yugoslavia.

However, there might also be other solutions to avoid that the Council is precipitated into adopting a resolution, the effects of which may soon be deeply regretted by all.

(Brief aan Colin Powell, 3 juli 2002)

Verenigde Staten

**John Bolton, Under-Secretary of State:** "We're not applying any pressure on countries to sign these

agreements, and we don't think it's appropriate for the European Union to prevent other countries from signing them.”

(Guardian, Knives drawn in row on war crimes court, 15 augustus 2002)

Zwitsersland

**Delegate from Switzerland:** “We do not want to see the Security Council be a legislature....How is it possible that the International Criminal Court would jeopardize international peace and security? ...The Security Council does not have the competence to adopt law that runs contrary to a treaty that is in full compliance with the United Nations Charter.”

(Statement to the 10<sup>th</sup> PrepCom for the ICC, 3 juli 2002)

# VS BELEID TEN AANZIEN VAN IRAK

## INLEIDING

Het Amerikaanse beleid jegens Irak kenmerkt zich door een vrijwel permanent aanhoudende dreiging van een aanval. Zo verklaarde President Bush begin juli op een persconferentie dat de Verenigde Staten 'alle middelen' zullen gebruiken om Saddam Hoessein en diens regering af te zetten (Volkskrant, 10 juli 2002). Hoewel het afzetten van Saddam door de VS als staand beleid wordt gepresenteerd, los van eventuele argumenten hiervoor, wordt meestal gewezen op de bewering dat Irak massavernietigingswapens heeft danwel bezig is deze te ontwikkelen. Overtuigende bewijzen hiervan zijn, overigens net als van het tegendeel, echter nooit geleverd. Deskundigen en de internationale gemeenschap zijn dan ook sterk verdeeld over de vraag of Irak massavernietigingswapens heeft en welke dreiging Irak nu werkelijk vormt, maar ook over de vraag waartoe een aanval op Irak zou leiden, zowel voor wat betreft de interne Irakese aangelegenheden als voor het Midden-Oosten als geheel, en welke alternatieven voor het regime van Saddam Hoessein voor handen zijn. Op dit moment lijken de Verenigde Staten alleen verzekerd te zijn van de onvoorwaardelijk steun van het Verenigd Koninkrijk bij een aanval op Irak.

Ondertussen zijn Irak en de Verenigde Naties sinds enige maanden weer in gesprek over het toelaten van VN-wapeninspecteurs in Irak. Hoewel dit er vooralsnog niet toe heeft geleid dat wapeninspecteurs ook daadwerkelijk toegelaten zullen worden, zetten deze gesprekken zich wel voort en spreken beide partijen over enige, zij het zeer moeizame, vooruitgang.

De kwestie van een mogelijke Amerikaanse aanval op Irak, en internationale reacties daarop, kwam eerder uitgebreid aan de orde in nummer 3 van onze reeks Facts and Reports.

## CITATEN

### Duitsland

**Bondskanselier Gerhard Schröder:** "There is no majority, on one side or the other, for taking part in military action [against Iraq] without approval by the United Nations."  
(The Guardian, 'UN must sanction' Iraq strike, 31 juli 2002)

**Bondskanselier Gerhard Schröder:** "Ich kann nur davor warnen, ohne an die Folgen zu denken und ohne eine politische Konzeption für den gesamten Nahen Osten zu haben, jetzt über Krieg im Irak zu diskutieren und darüber zu reden."  
(Bundesregierung, persmededeling, 3 augustus 2002)

**Joschka Fischer, Minister van Buitenlandse Zaken:** "To talk now of having to push through a change in government in Baghdad with a military intervention, that's a false assessment of priorities."  
(CNN, German leaders warn on Iraq attack, 3 augustus 2002)

### Frankrijk

**President Jacques Chirac:** "I do not want to imagine an attack against Iraq, an attack which – were it to happen – could only be justified if it were decided on by the security council."  
(The Guardian, 'UN must sanction' Iraq strike, 31 juli 2002)

### India

**Bashwant Sinha, Foreign Minister:** "In the name of Indian government I call on all the world states, especially Arabs, to announce their solidarity with Iraq and to refuse any military action on it."  
(Iraq News Agency, India supports Iraq, 19 augustus 2002)

## Irak

**Naji Sabri, Minister van Buitenlandse Zaken:** “Het is duidelijk dat Amerika druk heeft uitgeoefend op het hoofd van het inspectieteam, Hans Blix, om de gesprekken [tussen de VN en Irak over hervatting van de wapeninspecties] te dwarsbomen en een gezamenlijke overeenkomst te verhinderen.”  
(Volkskrant, Bush wil ‘alle middelen’ inzetten tegen Irak, 10 juli 2002)

## Israël

**Ranaan Gissin, senior advisor of Prime Minister Sharon:** “Any postponement of an attack on Iraq at this stage will serve no purpose. It will only give Saddam Hussein more of an opportunity to accelerate his programme of weapons of mass destruction.”  
(Guardian, Israel puts pressure on US to strike Iraq, 17 augustus 2002)

## Jordanië

**Koning Abdullah:** “The problem is, trying to take on the question of Iraq with the lack of positive movement on the Israeli-Palestinian, Israeli-Arab track seems, at this point, somewhat ludicrous.”  
(CNN, Late Edition, 28 juli 2002)

**Koning Abdullah:** “The problem is that there is always the fight of whether the Israeli-Palestinian situation is more important, or that of Iraq. The President understands the linkage and so does Colin Powell, and they have the tendency to look at the overall picture. But others in Washington are fixated on Iraq, and Iraq has to be resolved no matter what happens in the rest of the Middle East.”

If such voices got stronger “that really would destabilise American strategic interest even more in the Middle East”. To those “fixated” on Iraq “you can talk till you’re blue in the face and they’re not going to get it”. [...] “In the light of the failure to move the Israeli-Palestinian process forward, military action against Iraq would really open a Pandora’s Box. [...] All of us are saying: ‘Hey, United States, we don’t think this is a very good idea.’”

(The Times, Hardliners threaten Middle East peace, says Abdullah , 29 juli 2002)

**Koning Abdullah:** “In all the years I have seen in the international community, everybody is saying this is a bad idea. If it seems America says we want to hit Baghdad, that’s not what Jordanians think, or the British, the French, the Russians, the Chinese and everybody else. [...] Blair has tremendous concerns about how this would unravel.”

(Washington Post, Abdullah: Foreign leaders oppose attack, 1 augustus 2002)

## Nederland

**Jozias van Aartsen, Minister van Buitenlandse Zaken:** De Nederlandse regering onderhoudt intensief contact met de regering van de VS. In deze contacten is officieel bevestigd dat de regering van de VS alleen dan een aanval op Irak zal overwegen als er overweldigend bewijs is voor de betrokkenheid van dit land bij de aanslagen van 11 september.

(Algemeen Overleg over Terroristische aanslagen in de Verenigde Staten (27925 – nr. 37), Den Haag, 5 december 2001)

**Jozias van Aartsen, Minister van Buitenlandse Zaken:** Wat Somalië en Irak betreft, mag er niet zonder meer een relatie gelegd worden tussen de strijd tegen Al-Qaeda en optreden tegen landen die zich schuldig maken aan ontwikkeling van massavernietigingswapens.

(Algemeen Overleg over Terroristische aanslagen in de Verenigde Staten (27925 – nr. 39), Den Haag, 12 december 2001)

**Jozias van Aartsen, Minister van Buitenlandse Zaken:** De minister onderstreept het belang van een spoedige

oplossing van de kwestie van de wapeninspecties in Irak. De secretaris-generaal van de VN voert overleg met de regering van Irak en zal in april opnieuw een gesprek met vertegenwoordigers van die regering hebben. Daarbij wordt niet onderhandeld over het uitvoeren van resolutie 1284, maar wordt die wel toegelicht. Een onvoorwaardelijke uitvoering van deze resolutie zou het resultaat van de onderhandelingen moeten zijn.

De onderhandelingen over de uitvoering van resolutie 1284 vormen echter slechts één spoor van het beleid dat de Amerikanen jegens Irak willen voeren. Het andere spoor betreft de goederen die Irak mag importeren. Uiteraard moet de beëindiging van het bestaande mechanisme van de controle op de import van goederen in Irak vervangen worden door een geaccordeerde lijst van te controleren goederen. De hoop is dat in mei hierover een akkoord zal worden bereikt. Dit hangt mede af van de onderhandelingen van de permanente leden van de VR, in het bijzonder van het overleg tussen de VS en de Russische Federatie. Een militair optreden is dus niet aan de orde. De VS willen juist investeren in het overleg. Op een interruptie van de heer Van Bommel zegt de minister bij zijn standpunt te blijven dat de strijd tegen het terrorisme niet verward mag worden met de kwestie van de wapeninspecties in Irak. Hij acht het evenwel thans niet verstandig voor die inspecties een limiet te stellen, aangezien dat een averechts effect zou kunnen hebben.

(Algemeen Overleg over Missile Defense (27857) en Bestrijding internationaal terrorisme (27925 – nr. 4), Den Haag, 16 april 2002)

**Bert Koenders, Tweede Kamerlid (PvdA):** “De manier waarop het gaat heeft niet alleen grote invloed op de transatlantische verhouding met de Verenigde Staten, maar ook voor het vredesproces in het Midden-Oosten en de positie van Europa in de regio als Europese landen de Amerikanen zouden steunen. Ik ben niet blind voor de dictator Saddam Hoessein, maar ik zie de oorlogslogica niet.”

(TC Tubantia, In Haagse kringen maakt kwestie Irak nog maar weinig tongen los, 17 augustus 2002)

**Jaap de Hoop Scheffer, Minister van Buitenlandse Zaken:** “De Amerikaanse regering heeft herhaaldelijk benadrukt dat zij nog geen besluit heeft genomen over een eventuele militaire aanval op Irak en dat de President terzake ook geen concrete aanbeveling is voorgelegd. Ik acht het voorbarig in te gaan op de mogelijke modaliteiten van een vooralsnog hypothetisch scenario.”

(Antwoord op Kamervragen Van Bommel (SP), DAM-383/02, 15 augustus 2002)

## Overig

**Scott Ritter, voormalig UNSCOM-inspecteur in Irak:** “The current U.S. policy of trying to overthrow Saddam is misguided. The underlying problems will continue to exist. Saddam did not create the animosity between Iraq and Iran, nor did Saddam fabricate the Iraq-Kuwait border issue. He is not the source of the Israeli-Arab conflict. His extreme positions and irresponsible actions have exacerbated these problems, but they would have arisen without him, and his disappearance would solve none of them.”

(Scott Ritter, Endgame; Solving the Iraq problem once and for all, Simon & Schuster, New York, 1999)

**Hans von Sponeck, former UN humanitarian aid coordinator for Iraq from 1998-2000:** “The US administration has put the UN secretary general on a short leash in his meetings with the Iraqi authorities. The only topic worthy of discussion according to the Americans is the return to Iraq of the UN arms inspectors. This became most apparent during the recently concluded talks with the Iraqis in Vienna.

Europe is increasingly uncomfortable with this unilateral insistence on solving the Iraqi conflict militarily. In varying degrees the same applies to countries in the Middle East. [...] An entire region is being destabilised to suit American preferences for political change in Iraq. Concurrently, a systematic dis- and mis-information campaign, one of the biggest ever undertaken by the US authorities, is intensifying. The US and the international public are being sedated daily with increasing doses of propaganda about the threat Iraq poses to the world in 2002. [...] A war on Iraq justified by conjecture is politically foolish and morally repugnant. In the words of the Archbishop of Wales, Dr Rowan Williams: "It is deplorable that the world's most powerful nations continue to regard war, and the threat of war, as an acceptable instrument of foreign policy."

The US Department of Defence and the CIA know perfectly well that today's Iraq poses no threat to anyone in the region, let alone in the United States. To argue otherwise is dishonest. [...] One does not need to be a specialist in weapons of mass destruction to conclude that these sites had been rendered harmless and have remained in this condition. The truly worrying fact is that the US Department of Defence has all of this information. Why then, one must ask, does the Bush administration want to include Iraq in its fight against

terrorism? Is it really too far-fetched to suggest that the US government does not want UN arms inspectors back in Iraq? Do they fear that this would lead to a political drama of the first order since the inspectors would confirm what individuals such as Scott Ritter have argued for some time, that Iraq no longer possesses any capacity to produce weapons of mass destruction? This indeed would be the final blow to the "war against Iraq" policy of the Bush administration, a policy that no one else wants. The Iraqis would be well advised to seize this opportunity and open their doors without delay to time-limited arms inspectors, thereby confirming that they indeed have nothing to hide.

This would make a US war against Iraq next to impossible and start the long journey towards the country's return to normality."

(The Guardian, Go on, call Bush's bluff, 22 juli 2002)

**Colonel Richard Dunn III (retired), former US Army strategist:** "I'd argue that containment is certainly a better approach than either marching on Baghdad or destabilizing the Iraqi government by killing Saddam."

(Washington Post, Some top military brass favor status quo in Iraq, 27 juli 2002)

**Jim Cornette, former US Air Force biological warfare expert:** "We've bottled him [Saddam] up for 11 years, so we're doing okay. I don't know the reason the administration is so focused on Iraq. I'm very puzzled by it."

(Washington Post, Some top military brass favor status quo in Iraq, 27 juli 2002)

**General Sir Michael Rose, former head of SAS and of UN forces in Bosnia:** "There are huge political and military risks associated with launching largescale ground forces into Iraq."

(Evening Standard, The madness of going to war with Iraq, 29 juli 2002)

**Wereldraad van Kerken:** "At this particular moment in history, US churches are called to speak out against the threat of a military attack by their government against Iraq."

(Wereldraad van Kerken, Statement, 12 augustus 2002)

**Gen. Wesley Clark, U.S.A. (Ret.), Supreme Allied Commander Europe 1997-2000:** "In the twilight of World War II we recognized the need for allies. We understood the need to prevent conflict, not just fight it, and we affirmed the idea that we must banish from the world what President Harry Truman, addressing the founding of the United Nations, called "the fundamental philosophy of our enemies, namely, that 'might makes right.'" Truman went on to say that we must "prove by our acts that right makes might." Since September 11, America has been in a similar position: the most powerful nation in the world, but facing a deadly enemy. The United States has the opportunity to use the power of the international institutions it established to triumph over terrorists who threaten not just the United States, but the world. What a tragedy it will be if we walk away from our own efforts, and from 60 years of post-World War II experience, to tackle the problem of terror without using fully the instruments of international law and persuasion that we ourselves created."

(Washington Monthly, An army of one?, 16 augustus 2002)

**Susan Sarandon, Oscar-winning actress:** "As an individual, I don't think we would want to go to war against Iraq. I don't think a military expression of violence is the solution. First we have to ask the right questions, then we can come up with a solution. I don't think we have found one right now."

(Guardian, Hollywood's golden couple call for peace, 17 augustus 2002)

**Hans Blix, chief U.N. arms inspector:** "If the Iraqis conclude that an invasion by someone is inevitable then they might conclude that it is not very meaningful to have inspections. If inspectors are allowed in and if they are given really unfettered access with no delays...then I think this might play an important role and we would be eager to do that and to help toward a non-belligerent solution."

(New York Times, Invasion talk won't get inspectors into Iraq – Blix, 18 augustus 2002)

**Iran en Bahrein:** "Iran and Bahrain declare their determined opposition to any unilateral military action against Iraq."

(New York Times, Bahrain opposes U.S. attack on Iraq, 18 augustus 2002)

## Rusland

**Russisch Ministerie van Buitenlandse Zaken:** "Moscow believes that the Iraqi proposal [invitation to Hans Blix for talks in Baghdad] is an important step towards solving this problem by political and diplomatic means in accordance with the UN security council's resolutions."

(The Guardian, Serious offer or just an attempt to buy time?, 3 augustus 2002)

## Spanje

**Ana Palacio, Minister van Buitenlandse Zaken:** "In Europe, we all understand that the world would be a better place without Saddam Hussein. We are willing to go as far as the U.N. asks us," Palacio told Washington Post reporters and editors. "Nevertheless, we are very much concerned by the day after. You oust Saddam Hussein, then what?"

(Washington Post, Spain's Foreign Minister seeks details of Iraq plan, 13 augustus 2002)

## Turkije

**Premier Bulent Ecevit:** "... trying to convince the US administration to give up the operation. We can make a concrete distribution towards peace in Iraq alongside the United States without a military operation."

(The Guardian, Turkey deals a blow to action against Saddam, 1 augustus 2002)

## Verenigd Koninkrijk

**Mr. Iain Duncan Smith (Conservative Leader of the Opposition):** In the future, if left unchecked, Iraq will be able to deploy its weapons of mass destruction against targets in western Europe, including the United Kingdom. As the last head of the United Nations inspectors makes clear, development of those weapons continues unchecked. Given that, will the Prime Minister confirm reports that he told President Bush over the weekend that if military action is needed against Saddam Hussein, the British Government will support and, if necessary, contribute to it?

**The Prime Minister Tony Blair:** The time for military action has not yet arisen. However, there is no doubt at all that the development of weapons of mass destruction by Saddam Hussein poses a severe threat not just to the region, but to the wider world. I draw the House's attention to the fact that, in my first statement to the House a few days after 11 September, I made it clear that the issue of weapons of mass destruction had to be, and should be, dealt with. How we deal with it will be a matter for deliberation and consultation in the normal way. After 11 September, we proceeded in a calm and sensible way, and we shall do so again, but we must confront the issue of weapons of mass destruction.

**Mr. Duncan Smith:** Not only is Iraq developing weapons of mass destruction, but it has also become apparent that it is a major sponsor of terrorism in the middle east, bankrolling many of the families of suicide bombers and providing terrorists with bomb-making equipment. In the United States, the Prime Minister spoke about a "regime change" in Iraq. Given his reported comments, will he confirm that getting rid of Saddam Hussein may now be an objective of the Government?

**The Prime Minister:** As I said in Texas, there is no doubt at all that the region would be a better place without Saddam Hussein. It is worth pointing out that the Iraqi people themselves would rejoice most at Saddam Hussein leaving office. We should never forget that that regime has a particular record: the Iran-Iraq war in which 1 million people lost their lives; the annexation of Kuwait, which precipitated the Gulf war; and perhaps the most appalling act of all, the use of chemical weapons on the Kurdish people. There is no doubt whatever that the world would be a better place without Saddam. However, the method of achieving that is, as I said, open to consultation and deliberation. When the judgments are made, I have no doubt at all that this House—indeed, the whole country—will want to debate the issue thoroughly.

**Mr. Duncan Smith:** Does the Prime Minister believe that countering the growing threat from Saddam Hussein is about protecting lives in Britain and the lives of British forces abroad, and not just about supporting our allies? In the USA, the Prime Minister described those who refuse to accept the need to act as "utterly naive". Does he believe that they misunderstand the nature of the threat, or that they will simply refuse to accept any evidence

that they are given?

**The Prime Minister:** I do not think that I should comment on other people's motives in relation to this matter, however kind it is of the right hon. Gentleman to offer me that opportunity—I am sure he wants to be helpful. The key issue is that this is not something that has suddenly arisen, and it is important that the House understand that. Before 11 September, a whole series of negotiations took place about potential new United Nations Security Council resolutions to put in place a better sanctions regime, and about how we try to ensure that weapons inspectors get back inside Iraq. The reason why the UN Security Council resolutions that were originally proposed and passed demand that weapons inspections take place in Iraq is precisely that the threat of weapons of mass destruction is real and present.

The issue is quite clear. As I said in my speech in Texas, Saddam Hussein has a very clear message from the international community: the weapons inspectors should go back in—anyone, any place, any time. That is the message that we must give him. Simply turning our backs on the issue of weapons of mass destruction is not an option. That is why I think it so important that we stand with the United States in saying that this issue is one that has to be, and will be, confronted. We will do so in a sensible and measured way, but we cannot allow a state of this nature to develop those weapons without let or hindrance.

(Hansard, Prime Minister's Questions, Oral/Commons, 10 Apr 2002 : Column 11)

**Tony Blair, minister-president:** “We are all getting ahead of ourselves on the issue of Iraq. Action is not imminent. We are not at the point of decision yet.” [...] Mr Blair said that he was sceptical as to whether the efforts of the UN Secretary-General Kofi Annan to persuade the Iraqis to readmit weapons inspectors would succeed. “The omens don't look very good frankly. The issue is, is there any point in reviving those negotiations. I don't know. Because it seems somewhat unlikely that the Iraqis intend to comply with it.”

(The Times, Invasion of Iraq is not imminent, says Blair, 26 juli 2002)

**Alice Mahon MP, Harold Best MP, Mick Clapham MP, Sue Doughty MP:** “Like King Abdullah of Jordan, we think that an attack on Iraq by the United States would be a mistake. [...] There is broad agreement internationally that if George Bush pressed ahead with a military adventure against Iraq, he would generate even more problems for the populations of the region. The most likely impact would be to provide succour for the very terrorist forces that the Bush administration purports to wage war on. We therefore welcome Iraq's invitation to Hans Blix, the United Nations chief weapons inspector, to visit Baghdad to get weapons monitoring back on track as soon as possible. This crisis requires a political and diplomatic solution. The war on terrorism must not be allowed to become the pretext for US military escalation.”

(Ingezonden brief, The Guardian, 5 augustus 2002)

**Jeremy Corbyn MP:** “At bottom this is not about weapons inspectors, it's all about oil. But we have a duty to let Kofi Annan, and not George Bush, try to settle this.”

(The Guardian, UN arms chief dismisses Baghdad talks, 5 augustus 2002)

**Field Marshal Lord Bramall, former British Chief of Defence Staff:** “You don't have licence to attack someone else's country, just because you don't like the leadership.”

(Times, Double warning against Iraq, 5 augustus 2002)

**Menzies Campbell, Liberal Democrat's foreign affairs spokesman:** “In international affairs it is not enough to claim a moral authority in cases where the United Nations has been involved. There will be no world order if the most powerful states are entitled to remove other governments at will. There is no doctrine of international law which justifies regime change.”

(Guardian, Bush aide cites case for Saddam's removal, 15 augustus 2002)

**Gerald Kaufman MP:** “Today, there is substantial resistance in the parliamentary Labour party against war on Iraq, not just from the usual suspects, the Tam Dalyells and the Alan Simpsons, but from many mainstream MPs. Tony Blair would find it difficult to support and participate in a war against Iraq whose majority in the House of Commons was provided by the Conservatives. [...] Bush, himself the most intellectually backward American president of my political lifetime, is surrounded by advisers whose bellicosity is exceeded only by their political, military and diplomatic illiteracy. Pity the man who relies on Rumsfeld, Cheney and Rice for counsel.”

(The Spectator, Why I oppose an attack on Iraq, 17 augustus 2002)



**Diane Abbot MP:** “It is not hypocritical to oppose war because of concern for the Iraqi people. Thousands are currently suffering under Saddam Hussein but thousands more will die if we go to war and tens of thousands more will suffer in the chaos that will ensue. The article also misses the point that, even if a military onslaught against the Iraqi people was justified, it is quite contrary to international law for the USA to take action unilaterally (with Tony Blair as an outrider). It would be wrong in principle, wrong in law and also (as it happens) wrong in practice.”  
(Ingezonden brief, The Guardian, 18 augustus 2002)

Verenigde Naties

**Kofi Annan, Secretaris-Generaal:** “It would be unwise to attack Iraq, given the current circumstances of what's happening in the Middle East.”  
(Independent, UN chief warns against Iraq war, 6 augustus 2002)

Verenigde Staten

**Richard Boucher, State Department Spokesman:** “We have made very clear that we think the world would be better off with a different regime in Iraq. Regime change has always been part of our policy. This regime is a serious threat to the Iraqi people, to the international community, and to the neighborhood that it lives in. The President has made that absolutely clear in his State of the Union, where he talked about Iraq's pursuit of weapons of mass destruction as well.  
So we continue to work with our allies and the international community to get Iraq to comply with UN Security Council obligations, including acceptance and full cooperation with UN weapons inspectors. And beyond that, I just have to say all options remain open.”  
(US State Department press briefing, 17 juni 2002)

**Colin Powell, Secretary of State:** What we have consistently said is that the President has no plan on his desk to invade Iraq at the moment, nor has one been presented to him, nor have his advisors come together to put a plan to him. He is in the most intense consultations with his friends and allies around the world. [...] But he [...] believes -- and perhaps no one else agrees with him, but I think most people do; they just are a little reluctant to how to get to this end -- that the Iraqi people would be better served with a different regime, not with a regime that gasses its own people, gasses its neighbors, and are developing the worst kinds of weapons that will be more of a threat to its neighbors and regional stability than it will be to the United States.  
The United States could stand back and say we're going to ignore it. We can't ignore it, because we are concerned about our friends and allies and our interests around the world, and because we are the leader of a world that wants to be free.”  
(Interview on ABC's Nightline, 15 juli 2002)

**Al Gore, voormalig vice-president:** “I certainly question why we would be publicly blustering and announcing an invasion a year or two years in advance. [...] I do think the situation our country faces now is fundamentally different than what we faced on the eve of the Gulf War. If the rest of the world does not see what it regards as a sufficient provocation to justify an invasion by the United States, then the diplomatic cost would be extremely high.”  
(San Francisco Chronicle, Gore questions timing, international support for an Iraq invasion, 26 juli 2002)

**Senator Chuck Hagel (Republican of Nebraska):** “You can't just drop the 82<sup>nd</sup> Airborne into Baghdad and it will all be over. [...] Would we further destabilize the entire Middle East if we took military action against him [Saddam Hussein]? Who would be our allies? And what kind of support would there be inside Iraq? These kinds of questions are critical. You could inflame the whole Middle East plus Iran.”  
(Washington Post, Citing qualms, lawmakers seek details on Iraq, 31 juli 2002)

**Senator Christopher J. Dodd (Democrat of Connecticut):** “Unease is a fair description of the feeling on Capitol Hill. There's a sense we're going to do something relatively soon, but there's also a sense that no one's thought about much more than that.”  
(Washington Post, Citing qualms, lawmakers seek details on Iraq, 31 juli 2002)

**Senator Bob Graham (Democrat of Florida), chairman of the Select Committee on Intelligence:** “The central reality is uncertainty, and the defectors’ stories only reinforce that. None of the people we met claimed to have conclusive knowledge of the status of Iraq’s weapons program.”  
(Washington Post, In assessing Iraq’s arsenal, the ‘reality is uncertainty’, 31 juli 2002)

**Senator Diana Feinstein (Democrat of California):** “Thus far, the administration has submitted no evidence of any Iraqi connection to 9/11 to this Congress, and the resolution authorizing the use of force against al-Qaida is specifically worded so that hard evidence of such a connection is needed to justify military action. Conclusive proof that Saddam Hussein is, indeed, harboring weapons of mass destruction, that he is providing shelter for al-Qaida terrorist cells, or that he is in any way linked to the attacks of September 11 would quickly galvanize support for military action. As of now, however, no such evidence has been substantiated.

At this time, moreover, I know of no formal support for a full-scale military action from any other nation. I know of no formal grant to fly over or landing rights which would be granted by any nation in connection with any invasion plan.

As far as I know at this point, the United States would be alone, unilaterally taking action. To take action without support from our allies or the United Nations would clearly identify the United States as an aggressor and may well prompt a series of potentially catastrophic actions.

Both Turkey and Jordan, two of our most loyal and longstanding allies in the region, have been open about their concern about United States unilateral action at this time, making clear their opposition. They have also pinpointed that the present crisis between the Israelis and the Palestinians should be the world’s primary focus in the Middle East.

Until the Israeli-Palestinian conflict is stabilized, until more than a semblance of security and stability has returned to Israel and Palestine, a massive invasion against Iraq could expose the Israeli people to possible missile strikes from Baghdad.

[...]

Before rushing precipitously forward in an attack on Iraq, I urge the Bush administration to work with allies and the United Nations to develop a multilateral approach to compel Iraq to live up to its obligations under Security Council Resolution 687. Should Iraq be unwilling to live up to its obligations and the President determines that there is just cause for military action against Iraq, I urge him to come before this Congress, to come before the American people, to make his case and let us in turn discharge our constitutional duty to debate and vote on the authorization of the use of force.”

(US Department of State, Senators Feinstein, Leahy submit resolution on using force against Iraq, 1 augustus 2002)

**Claire Buchan, White House Deputy Press Secretary:** “[But] the President’s [Bush] view is that – the position of his government is that we need a regime change in Iraq, and he continues to consider all options with regard to that.”

(US Department of State, Iraq is obligated to admit weapons inspectors, says White House, 2 augustus 2002)

**Colin Powell, Secretary of State:** “The Iraqis have constantly tried to find a way around their obligations with respect to the inspections. They have met several times now with Secretary General Kofi Annan and with Hans Blix. They understand what is required of them. There is no need for further clarification or discussion of a comprehensive approach. The approach is clear and spelled out in appropriate U.N. Security Council resolutions. Inspections aren’t the issue; disarmament is the issue. [...] The President [Bush] has previously said that he supported inspections, but we have to understand clearly that the goal is not inspection for inspection’s sake. The goal has to be disarmament and removal of all capacity for weapons of mass destruction. Having said all of that within U.N. context, the United States continues to believe that regime change will be in the best interests of the Iraqi people, people of the region and the world.”

(US Department of State, Press Briefing, Manila, Philippines, 3 augustus 2002)

**Senator Carl Levin (Democrat of Michigan):** “If he [Saddam Hussein] initiated their [weapons of mass destruction] use, it would lead to his own destruction. If he loves himself more than he hates us and hates Israel, then he would probably not initiate their use. But there is no doubt that if we attacked him, he would use very weapon of mass destruction he has.

(CNN, Senator: Iraq would fight back, not start war, 3 augustus 2002)

**General Brent Scowcroft (Ret.), chairman of the president's Foreign Intelligence Advisory Board:** "It's a matter of setting your priorities. There's no question that Saddam is a problem. He has already launched two wars and spent all the resources he can working on his military. But the President has announced that terrorism is our number one focus. Saddam is a problem, but he's not a problem because of terrorism. [...] I think we could have an explosion in the Middle East. It [a U.S. invasion of Iraq] could turn the whole region into a cauldron and destroy the War on Terror."

(Times, Double warning against Iraq war, 5 augustus 2002)

**General Brent Scowcroft (Ret.), chairman of the president's Foreign Intelligence Advisory Board:** "Israel would have to expect to be the first casualty, as in 1991 when Saddam sought to bring Israel into the Gulf conflict. This time, using weapons of mass destruction, he might succeed, provoking Israel to respond, perhaps with nuclear weapons, unleashing an Armageddon in the Middle East. [...] Possibly the most dire consequences would be the effect in the region. The shared view in the region is that Iraq is principally an obsession of the U.S. The obsession of the region, however, is the Israeli-Palestinian conflict. If we were seen to be turning our backs on that bitter conflict--which the region, rightly or wrongly, perceives to be clearly within our power to resolve--in order to go after Iraq, there would be an explosion of outrage against us. We would be seen as ignoring a key interest of the Muslim world in order to satisfy what is seen to be a narrow American interest."

(Wall Street Journal, Don't attack Saddam, 15 augustus 2002)

**Condoleezza Rice, National Security Adviser:** "This is an evil man who, left to his own devices, will wreak havoc again on his own population, his neighbours and, if he gets weapons of mass destruction and the means to deliver them, all of us, is a very powerful moral case for regime change."

(Guardian, Bush aide cites case for Saddam's removal, 15 augustus 2002)

**Lawrence S. Eagleburger, former Secretary of State:** "Unless Mr. Hussein has his hand on a trigger that is for a weapon of mass destruction, and our intelligence is clear, I don't know why we have to do it now, when all our allies are opposed to it."

(New York Times, Top Republicans break with Bush on Iraq strategy, 15 augustus 2002)

**Richard Perle, Pentagon adviser:** "Our European allies are just not relevant to this [attack on Iraq]. And the one of some importance, the United Kingdom, is, I believe, going to be with us. The rest of the Europeans prefer to look the other way or cut deals with Saddam or buy him off in various ways."

(New York Times, Europeans not needed for Iraq attack – U.S. adviser, 18 augustus 2002)

## Yemen

**President Ali Abdullah Saleh:** "Yemen is maintaining the Arab stance that rejects striking (Iraq) because it is unjustifiable, especially after Iraq has declared its willingness to start dialogue on (weapons) inspection."

(New York Times, Bahrain opposes U.S. attack on Iraq, 18 augustus 2002)

# INTERNATIONALE CONVENTIE TEGEN MARTELEN

## INLEIDING

Op 24 juli 2002 werd het Optionele Protocol voor de Conventie tegen Martelen (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) aangenomen door de Economische en Sociale Raad van de Verenigde Naties (ECOSOC). Dit optionele protocol, dat na aanname door de Algemene Vergadering van de Verenigde Naties voor ratificatie geopend zal worden, stelt een systeem in van regelmatige bezoeken aan plekken waar mensen in detentie gehouden worden door een internationale groep experts, aangevuld met regelmatige bezoeken uitgevoerd door nationale bezoekgroepen.

De Verenigde Staten hebben getracht het aannemen van dit protocol te blokkeren door te verzoeken de tekst, die op 22 april 2002 door de 58<sup>e</sup> Sessie van de Mensenrechtencommissie was aangenomen, te heropenen voor verdere onderhandelingen. Zij waren van mening dat de internationale bezoeken een inbreuk zouden betekenen op het constitutionele principe van rechten van de staten binnen de VS op dit terrein. Daarnaast zouden de VS bezwaren hebben tegen mogelijke internationale bezoeken aan de van terrorisme verdachte gevangenen in de marinebasis in Guantanamo Bay.

Landen als China, Cuba, Egypte, Libië en Soedan steunden het verzoek van de Verenigde Staten, maar uiteindelijk werd de tekst aangenomen met 35 stemmen voor, acht tegen en en tien onthoudingen.

## CITATEN

### Costa Rica

**Elyne White, gedelegeerde bij ECOSOC:** “This [US] amendment truly is a death sentence for the optional protocol.”

(Washington Times, U.N. seeks to monitor conditions in prisons, 25 juli 2002)

### European Union

**EU delegatie bij de Algemene Vergadering van de Verenigde Naties:** “The prevention and elimination of torture is, together with the abolition of the death penalty, one of the EU priorities in the field of human rights. The EU therefore strongly supports the Optional Protocol against Torture.”

(EU, EU priorities for UNGA 57, juli 2002)

**Deense gedelegeerde bij de ECOSOC, namens de Europese Unie:** Denmark, which read a statement on behalf of the European Union, accused the United States of intentionally stalling in order to kill the proposal.

(San Francisco Chronicle, United States loses fight to block U.N. vote on torture convention, 25 juli 2002)

### Non-gouvernementele organisaties (NGO's)

**Rory Mungove, Global Advocacy director van Human Rights Watch:** “Yet again the Bush Administration is on a collision course with its allies over an important new mechanism to protect human rights, Last week, it was the International Criminal Court, this week, it's the prevention of torture. By sending this treaty back for more negotiations, the United States would be playing into the hands of countries such as Cuba and Iran, which want to block international scrutiny of human rights.”

(Guardian, US threatens to block torture convention, 25 juli 2002)

**Martin McPherson, hoofd van Amnesty International's legal programme:** “A vote against the optional protocol would be a disastrous setback in the fight against torture. To reopen negotiations at this time could only lead to watering down the text, so that it will fail to fulfil its aim – to prevent torture and ill-treatment still so prevalent around the world.”

(Guardian, US threatens to block torture convention, 25 juli 2002)

## Overig

**Anonieme Europese diplomaat:** “It’s pretty clear that anything the US could live with would live with would be too weak for the others. The US knows they will not get enough support for this.”

(Guardian, US threatens to block torture convention, 25 juli 2002)

## Zuid-Afrika

**Zuid-Afrikaanse gedelegeerde bij ECOSOC:** “We have to reject the U.S. position. This optional protocol had been worked on for 10 years, and I don’t think we should wait another 25 years to reach complete consensus.”

(New York Times, US fails to block torture inspections, 25 juli 2002)

## **BIJLAGE 1**

**The White House**

**Office of the Press Secretary (West Point, New York)**

**June 1, 2002**

**Remarks By The President At 2002 Graduation Exercise Of The United States Military Academy  
West Point, New York**

**[Excerpt]**

**The President:** [...] For much of the last century, America's defense relied on the Cold War doctrines of deterrence and containment. In some cases, those strategies still apply. But new threats also require new thinking. Deterrence -- the promise of massive retaliation against nations -- means nothing against shadowy terrorist networks with no nation or citizens to defend. Containment is not possible when unbalanced dictators with weapons of mass destruction can deliver those weapons on missiles or secretly provide them to terrorist allies.

We cannot defend America and our friends by hoping for the best. We cannot put our faith in the word of tyrants, who solemnly sign non-proliferation treaties, and then systemically break them. If we wait for threats to fully materialize, we will have waited too long. (Applause.)

Homeland defense and missile defense are part of stronger security, and they're essential priorities for America. Yet the war on terror will not be won on the defensive. We must take the battle to the enemy, disrupt his plans, and confront the worst threats before they emerge. (Applause.) In the world we have entered, the only path to safety is the path of action. And this nation will act. (Applause.)

Our security will require the best intelligence, to reveal threats hidden in caves and growing in laboratories. Our security will require modernizing domestic agencies such as the FBI, so they're prepared to act, and act quickly, against danger. Our security will require transforming the military you will lead -- a military that must be ready to strike at a moment's notice in any dark corner of the world. And our security will require all Americans to be forward-looking and resolute, to be ready for preemptive action when necessary to defend our liberty and to defend our lives. (Applause.)

The work ahead is difficult. The choices we will face are complex. We must uncover terror cells in 60 or more countries, using every tool of finance, intelligence and law enforcement. Along with our friends and allies, we must oppose proliferation and confront regimes that sponsor terror, as each case requires. Some nations need military training to fight terror, and we'll provide it. Other nations oppose terror, but tolerate the hatred that leads to terror -- and that must change. (Applause.) We will send diplomats where they are needed, and we will send you, our soldiers, where you're needed. (Applause.)

All nations that decide for aggression and terror will pay a price. We will not leave the safety of America and the peace of the planet at the mercy of a few mad terrorists and tyrants. (Applause.) We will lift this dark threat from our country and from the world.

[...]

## **BIJLAGE 2**

### **Bush set to flout test ban treaty**

Global treaty sidelined as scientists gear up to develop next generation of weapons

**Peter Beaumont, foreign affairs editor**

**Sunday July 28, 2002**

**The Observer**

America's nuclear weapons laboratories have begun preparations to test a new generation of arms after strong signs that the Bush administration may be about to pull out of the landmark Comprehensive Test Ban Treaty. Amid renewed evidence that pro-nuclear hawks are increasingly holding sway, the Department of Energy's National Nuclear Security Administration is increasing funding for nuclear weapons research and testing programmes. The funding would allow the US to be ready to return to underground tests within 12 months - a requirement of the US Nuclear Posture Review, which was unveiled by the Bush administration this year.

Although key figures are still engaged in a bitter debate over whether the US should withdraw from the treaty, Washington's position on nuclear weapons development and use is increasingly hardline.

It culminated last month in the disclosure by the White House that a 'pre-emptive strike policy' - including first use of nuclear weapons against the chemical and biological facilities of even non-nuclear states deemed to pose a threat to the US - would be incorporated into the National Security Strategy from this autumn.

Although the US is a signatory of the treaty, it has never ratified it. George Bush Snr decided instead to announce a US moratorium on weapons testing in 1992.

Since the launch of the Nuclear Posture Review last January, officials have been ambiguous about whether the US intends to return to testing, preferring to say that the Bush administration does not intend to end the moratorium 'at this point'.

However, fresh concerns over intentions on nuclear weapons research and testing will be ignited tomorrow with the publication of a report into US nuclear weapons policy by the British-American Security Information Council (Basic). According to its author, Mark Bromley, plans for new US nuclear weapons threaten decades of work towards eradicating the nuclear threat.

'With the arrival of the current administration, key nuclear proponents have assumed offices of power and placed the development of new nuclear weapons high on the political agenda,' he said. 'It poses a grave threat to the global testing moratorium and threatens to destroy the already fragile network of international arms control agreements.'

Among the most prominent nuclear proponents is John Bolton, Under Secretary of State for Arms Control at the State Department, who campaigned successfully for the US to withdraw from the treaty to establish an International Criminal Court and has been campaigning with equal vigour for the US to withdraw from the Test Ban Treaty. Although overruled by Secretary of State Colin Powell, senior officials say the debate is far from over.

At its centre is the claim by nuclear hawks of the threat posed by so-called Hardened Deep Bunker Targets - underground facilities impervious to conventional nuclear strikes. US intelligence estimates that more than 10,000 such bunkers exist worldwide. Only a tiny proportion are of strategic significance, but the CIA suspects those are being used to shelter plants for chemical and biological weapons, particularly in 'rogue states'.

While the Department of Energy has approved a feasibility study on modifying an existing nuclear warhead, which would not affect the treaty, scientists have been disappointed with the results. They are now pushing for a new generation of 'mini-nuke' bunker-busters with a yield of five kilotons or less, which would require testing in underground nuclear detonations.

The administration has asked the laboratories to look into research and development options for devices to defeat buried and hardened facilities.

The 1993 Furse-Spratt Provision bans research and development of a nuclear weapon of five kilotons or less.

This year, however, that legislation has come under attack from Republicans seeking to water it down to allow research - if not deployment - of a bunker-busting mini-nuke.

## COMMENTAAR

De voorbeelden van Amerikaans unilateralisme die hier worden behandeld beschrijven slechts het laatste halfjaar. In deel 1 van deze 'F&R' reeks beschreven we andere voorvallen en de uitgebreide kritiek die er al jaren bestaat.

De nucleaire doctrine van de VS heeft over de jaren altijd de mogelijkheid open gehouden om kernwapens als eerste te gebruiken. Het NPR (zie F&R nr. 8 voor de text daarvan) verruimt de omstandigheden waaronder dit kon plaatsvinden. Die flexibiliteit was niet eerder zo uiteengezet: in combinatie met de 'State of the Union' en de toespraak te West Point (zie bijlage) vormen deze omschrijvingen van het Amerikaans beleid de grondslag voor het ondernemen van agressieoorlogen. In de 'State of the Union' werden door President Bush de doelwitten aangewezen – de 'axis of evil' bestaande uit Noord Korea, Iran en Irak - terwijl hij in de toespraak voor de nieuwe officieren van het Amerikaanse leger verklaarde dat de VS eventuele dreigingen zou aanvallen zodra ze ontstonden (zie bijlage). De NPR opende explicieter dan in het verleden de mogelijkheid dat dit met kernwapens zou gebeuren.

Opmerkelijk was de reactie van de toenmalige minister van buitenlandse zaken van Aartsen: de NPR zou geen plan zijn, maar een 'brede conceptuele analyse'. Andere landen waren niet zo geruststellend in hun reacties: China wees het eerste gebruik van kernwapens bij monde van de woordvoerder van buitenlandse zaken af, onderminister Volmer uit Duitsland zag er een gevaar in voor nucleaire ontwapening en president Poetin veroorloofde zich ook een opmerking waarin hij openlijk bezorgdheid uitte over het Amerikaanse beleid.

Het Verdrag van Moskou, waarin reducties in de aantallen strategische raketten werden aangekondigd, werd positief ontvangen maar VN ondersecretaris-generaal Dhanapala voor ontwapeningszaken wees snel op de noodzaak om kernwapens daadwerkelijk te vernietigen en niet allen op te slaan, zoals in het verdrag geregeld is.

De grootse controverse ontstond er in verband met het Internationaal Strafhof, dat onderwerp is geworden van een heftige transatlantische woordenstrijd. Na eerst geweigerd te hebben om het verdrag te ratificeren, initieerde de Amerikaanse regering een reeks stappen om te verhinderen dat Amerikaanse staatsburgers beschuldigd van oorlogsmisdaden, ooit voor het gerechtshof terecht zouden staan. Ten eerste door een tijdelijke uitzonderingsregel af te dwingen via de Veiligheidsraad van de VN, ten tweede door bilaterale verdragen af te sluiten met zoveel mogelijk landen waarin wordt vastgelegd dat ze geen Amerikanen zouden uitleveren aan het ICC. In dat kader werd ook gedreigd met het stopzetten van Amerikaanse militaire hulp. Toen Roemenie zo een verdrag ondertekende, werd het onmiddellijk door voorzitter Prodi van de Europese Commissie bekritiseerd, aangezien zo een stap strijdig was met EU beleid. De Amerikanen regeerden op hun beurt negatief, waarmee dit het zoveelste strijdtoneel werd over het Amerikaanse unilateralisme (zie elders in deze brochure).

Al sedert december circuleren er sterke geruchten over een aanstaande Amerikaanse aanval op Irak. Deze combinatie van lekken, dreigementen en officiële verklaringen heeft een grote bezorgdheid veroorzaakt bij zowel de critici als de bondgenoten van de Amerikaanse regering. Hoewel het definitieve besluit voor deze aanval nog niet is genomen, worden er reeksen stappen ondernomen die wijzen op serieuze voorbereidingen daarvoor. Gezien de Nuclear Posture Review (de bereidheid om als eerste kernwapens in te zetten) en het 'pre-emptive' beleid van de VS, plus het feit dat het Irakese bezit van massavernietigingswapens een 'casus belli' zou vormen, is de kans op een vergaande escalatie volop aanwezig. De mogelijke inzet van Israëlische kernwapens horen bij de escalatiescenario's.

In het licht van het voorgaande was het besluit van de VS om de conventie tegen martelen te blokkeren, bepaald geen verrassing.

Desalniettemin lijken er geen effectieve stappen tegen het Amerikaanse beleid ondernomen te worden, ook niet door het potentiëel bijzonder sterke economische machtsblok, de Europese Unie.

De columnist William Pfaff, wiens kolom in de Los Angeles Times regelmatig vertaald wordt voor de Volkskrant, heeft recentelijk gewezen op twee punten die in Europa wel eens vergeten worden:

- de VS heeft de NAVO harder nodig dan de Europese Unie de VS nodig hebben
- de economische macht van de EU kan worden aangewend tegen de VS, om politieke concessies op andere terreinen af te dwingen.

Kenmerkend totnogtoe is de volledige onwil van de EU lidstaten (zeker de kleinere zoals Nederland) om consequenties te trekken uit hun kritiek op de VS. Dat zal wel te maken hebben met de traditionele 'Atlantische lotsverbondenheid'. Maar het optreden van deze Amerikaanse regering heeft niet veel op me die lotsverbondenheid. Het lijkt daarom de hoogste tijd voor de Europese Unie om een meer confrontationele lijn te gaan kiezen tegenover de VS.



## KRONIEK

### Juli

5 – 2 sept	Den Haag	Zomerreces Tweede Kamer
12-22 aug		Zomerreces Europees Parlement
29-13 sept	Geneve	Conference on Disarmament Part III

### Augustus

20-23	Wenen	CTBT PrepCom
26-13 sept	Wenen	CBTB Werkgroep B
30-31	Helsingborg	Informele bijeenkomst EU Ministers van Buitenlandse Zaken

### September

3	Brussel	EU Working Party on Global Disarmament and Arms Control
4	Brussel	EU Working Party on Non-Proliferation
10	Brussel	EU Working Party on Transatlantic Relations
12-20	New York	Algemene Vergadering Verenigde Naties - Algemeen Debat
16-20	Wenen	Algemene Conferentie IAEA
16-20	Geneve	Vierde bijeenkomst van Staten partij bij de Ottawa Conventie
17	Den Haag	Prinsjesdag
17	Den Haag	Manifestatie Platform 'Keer het tij'
17	Brussel	EU Working Party on Transatlantic Relations
22	Duitsland	Parlementsverkiezingen
23-29	Brussel	Europese Raad
24-25	Warschau	
30 – 4 okt	Wenen	CTBT Werkgroep A
30 – 1 nov	New York	Algemene Vergadering Verenigde Naties – First Committee

### Oktober

4-5	Brussel	Informele bijeenkomst EU Ministers van Defensie
5	Kleine Brogel	Bomspotting – burgerinspectie naar Amerikaanse kernwapens
6	Lakenheath	Aktie tegen Amerikaanse kernwapens
7-11	Den Haag	Conferentie van Staten partij bij het Chemische Wapensverdrag
18-28	Den Haag	Herfstreces Tweede Kamer
24-25	Brussel	Buitengewone bijeenkomst van de Europese Raad

### November

5	USA	Wetgevende verkiezingen
7-10	Florence	European Social Forum
11-15	Wenen	CTBT PrepCOM
11-22	Geneve	5 <sup>de</sup> Review Conference van de Biologische Wapensconventie
15-19	Istanboel	NAVO Parlementaire Assemblée
21-22	Praag	NAVO Summit

### December

2-5	Parijs	WEU Assemblée
10-12	Den Haag	Behandeling begrotingen Buitenlandse Zaken en Defensie in Tweede Kamer
10-13	Den Haag	31 <sup>e</sup> reguliere sessie van de Uitvoerende Raad van de OPCW
12-13	Kopenhagen	Eurotop
20-20 jan	Den Haag	Kerstreces Tweede Kamer

## FACTS AND REPORTS

Eerder verschenen in de reeks PENN – NL Facts and Reports:

1. US unilateralism – official foreign comments  
Citaten van internationale politici en diplomaten over het Amerikaans unilateralisme.  
(januari 2002)
2. Veiligheidsvraagstukken en de verkiezingen – standpunten van de politieke partijen  
Relevante delen van de partijprogramma's van de Nederlandse politieke partijen, plus citaten van politici op het terrein van oorlog en vrede.  
(februari 2002)
3. Transatlantic relations – recent developments  
Overzicht van recente ontwikkelingen in de transatlantische betrekkingen, met name binnen de NAVO, mede naar aanleiding van uitspraken in de State of the Union.  
(maart 2002)
4. Ontwikkelingen betreffende kernwapens en de Nederlandse politiek – briefing paper  
Periodiek overzicht van ontwikkelingen rond kernwapens in de internationale en nationale politiek, met uitgebreide hoeveelheid bijlagen.  
(maart 2002)
5. Nucleaire vraagstukken – standpunten van de Nederlandse regering en de Tweede Kamer  
Overzicht april 2001 – april 2002  
(april 2002)
6. Crisis in de OPCW – de verwijdering van directeur-generaal Bustani  
Documenten en artikelen over het ontslag van directeur-generaal Bustani van het OPCW  
(mei 2002)
7. Prepcom van het NPV – nucleaire ontwapening stopt  
Verklaringen en rapporten van staten en ngo's tijdens de Prepcom van het NPV  
(juni 2002)
8. Verdrag van Moskou – détente tussen Rusland en Verenigde Staten  
Informatie over het Verdrag van Moskou, ontwikkelingen daaromheen en commentaar erop  
(juni 2002)
9. Joint Strike Fighter – achtergrondberichten  
De belangrijkste achtergrondberichten over de vervanging van de F16 uit de Nederlandse pers.  
(mei 2002)
10. Konfrontatie in Zuid-Azië – de kernwapenwedloop tussen India en Pakistan  
Basisgegevens over de nucleaire strijdkrachten en doctrines van India en Pakistan, Nederlandse wapenexport en wapenexportbeleid en een oproep om een nucleair treffen te voorkomen  
(juni 2002)
11. Massavernietigingswapens in het Midden-Oosten (1) – Egypte, Israël, Syrië  
Basisinformatie over de proliferatie van nucleaire, biologische en chemische wapens in Egypte, Israël en Syrië en verklaringen van de Nederlandse regering hierover  
(juli 2002)

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