

MEDEL

IRAQ

JUSTICE, NOT WAR !

"As European judges and prosecutors, we are deeply concerned about the war that United State, United Kingdom and their allies have declared to Iraq.

We perfectly know, of course, that Iraq is not a democratic Country, respectful of the Rule of Law, and that Mr. Saddam Hussein is a dictator who has had assaulted other States of the Middle east. We also know that he does not respect any common standard of human rights established by the United Nations and by customary international law.

We do not love dictators at all !

But at the same time we are convinced that this unilateral war (based on the pretexts of a world-wide campaign against terrorism and countries supposed to be friendly with terrorists) constitutes a breach of peace and of the Statute of United Nations, as well as an aggression under international law.

This war entails the responsibility not only of the concerned states, but also of the individuals who, voluntarily and knowingly, participate in its operations.

We hope that, at least, the international humanitarian law will be respected by all the Armies involved in the conflict. Today, many civilians are dying as a result of indiscriminate attacks, or may die in the future for the use of prohibited weapons, such as chemical, nuclear, biological ones.

We also urge for a particular international protection for Kurdish population and other Iraq minorities, which could be involved in armed assaults coming from different sides.

In the year of the birth of the International Criminal Court, as European jurists we must reaffirm that only the rule of law, at all national and international levels, can avoid a future of war, conflicts and terrorism.

We are deeply concerned about the hostile attitude of the Government of the United States, which is doing a lot of pressure against the Court and the support of the European Union

The victims of this war will be not only the civil population of the region, but even the United nations, the European Union - unable to build a common foreign policy of peace and security - and the international law itself.

But we still think that international law is not "the law of the most powerful".

Ignazio Juan Patrone - President of MEDEL

