

**A statement by  
the Egyptian Society of International Law  
Concerning the current situation in the Middle East  
region especially the Iraqi issue and  
the Palestinian problem<sup>(\*)</sup>**

The Board of Directors of the Egyptian Society of International Law having considered carefully in its meeting on 9<sup>th</sup> October 2002 the current situation in the Middle East region, especially the Iraqi issue and the declined situations in the occupied Palestine, confirms the following legal principles and rules.

**First: Respect for the rules of international law, resolutions and principles of international legitimacy is an obligation for all states, for it is considered as forming one of the basics for the contemporary international system.**

**Second: Applying resolutions issued by the organs of international organizations, especially the Security Council, is an obligation for all states, and not only for one state except one another. Therefore attempts to apply Security Council resolutions strictly on Iraq, also require applying the same resolutions of the same council in respect of other international problems, including the Palestinian problem.**

**Third: The most salient character of an international legal rule is that it is general and abstract. Therefore relaxation in applying it, or not applying it on a specific state, while trying**

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**The statement has been adopted before the adoption by the Security Council of resolution 1441.**

hard to apply it on another one would create a case of duplication in reacting with international conflicts, and would generate a double language, or double measures; apparently, this would affect the dignity of rules of international law and inevitably leads to contempt it.

**Fourth: The Security Council resolutions concerning Iraq after the occupation of Kuwait have exhausted their purpose by forcing Iraq out of Kuwait, therefore it is not possible to rely upon these resolutions as a legitimate basis to use force after achieving that purpose.**

**Fifth: according to well established legal international rules, it is not possible for a state or several states to use force in order to settle a specific problem, because on the one hand, this conflicts with rules of international law providing the non use of force to settle international conflicts, as well as with the obligation of all states to settle these conflicts with peaceful means, and on the other hand, this would lead to return rules of international law to the law of the jungle and; consequently it will lead to the collapse of the contemporary international system. Moreover, this deprives the Security Council of its principal authority, i.e., that of the maintenance of international peace and security.**

**Sixth: the concentration on removal of mass destruction weapons must include all Middle East states and not concentrate only on a specific state because this goes against the principle of non-discrimination, which constitutes a principle of contemporary international law.**

**Seventh: the Israeli aggressive violations against Palestinian people which consist in using unjustifiable force, acts of killing and assassination, destructure of property and building and infrastructure of the Palestinian Authority go against applicable rules of international law, especially the fourth Geneva convention of 1949, and threaten the stability of the situations in the region and ruin all peaceful settlement attempts for the Arab-Israeli conflict.**

**Eighth: the last decision adopted by the American Congress which considers Jerusalem as the capital of Israel constitutes a dangerous precedent in contemporary international relations and contradicts many international rules, especially the rule of non accordance of legitimacy to illegitimate situations and the rules of non recognition of effects of military occupation, also this decision interferes with many decisions which confirm that Jerusalem is an integral part of the occupied Palestinian territory.**

**Ninth: the Board of Directors of the Egyptian Society of International Law calls upon all states to support, in this regard, applicable rules of international law; this will lead to the formation of an international public opinion, which would represent an adverse pressure to tones of threats of illegal use of force against Iraq and unjustifiable use of force against Palestinian People. In this respect, the Board praise attitudes of all Arab States - at the top of them Arab Republic of Egypt - which refuse any illegal use of force. Also the Board praise the attitudes of many states from all over the world, among them**

**many of the European countries, which support the necessity for respect of rules of international legitimacy.**

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***President of the Egyptian Society  
of International Law***