



CITY COUNCIL

Linda R. Maio  
Councilmember District 1

**CONSENT CALENDAR**

October 8, 2002

TO: Honorable Mayor and  
Members of the City Council

FROM: Councilmember Linda Maio  
Vice Mayor Maudelle Shirek

SUBJECT: Resolution in support of House Concurrent Resolution 473, Congresswoman Lee.

**RECOMMENDATION:**

That the Council support House Concurrent Resolution 473 calling for the United States to work through the United Nations to renew arms inspections, assure Iraqi compliance with U.N. resolutions, oppose unprovoked unilateral first-strike military action, and communicate our support to the President, the Congress, and the Secretary General of the United Nations.

**BACKGROUND:**

The President is proposing that we take direct and unilateral military action against Iraq, an action which could metastasize to a full-blown war in the Middle East. Our nation's leaders, indeed our entire country, are debating the President's request, trying to determine the wisest course of action to take during these threatening and dangerous times.

In establishing the United Nations, the United States joined other nations in signing and ratifying a treaty which states that no war or warlike action, no bombing or invasion, shall be considered legitimate unless it is either in direct defense or in accordance with a resolution of the Security Council of the United Nations. Unprovoked unilateral action would be counter to the treaty and would subvert the United Nations process, a process that could avert an all out war.

On September 19, 2002 Congresswoman Barbara Lee introduced House Con. Res. 473 entitled, *"Expressing the sense of Congress with respect to the importance of the United States working through the United Nations to assure Iraq's compliance with United Nations Security Council resolutions and advance peace and security in the Persian Gulf region."*

To quote Congresswoman Lee, "We all agree that the world would be better off without Saddam Hussein in power, but I believe that we are better off still if we live under the rule of law and eliminate weapons of mass destruction. A preemptive, unilateral first strike would set a terrible international precedent. The question one must ask when confronting this doctrine of preemption is, where will it end? Which dictator will be next?"

Her resolution asks the House of Representatives to resolve (the Senate concurring), “That the United States should work through the United Nations to seek to resolve the matter of ensuring that Iraq is not developing weapons of mass destruction, through mechanisms such as the resumption of weapons inspections, negotiation, enquiry, mediation, regional arrangements, and other peaceful means.”

Berkeley is a city with a deep respect for the United Nations and its cooperative and collaborative processes. This item asks support for Barbara Lee’s Resolution 473, which advocates that our country adhere to the United Nations treaty that we signed and to give the U.N. processes a opportunity to resolve conflicts peacefully.

**FINANCIAL IMPLICATIONS:**

None.

**CONTACT PERSONS:**

Councilmember Linda Maio  
Vice Mayor Maudelle Shirek

Council District One  
Council District Three

981-7110  
981-7130

**Expressing the sense of Congress with respect to the importance of the United States working through the United Nations to assure Iraq's compliance with United Nations Security Council... (Introduced in House)**

HCON 473 IH

107th CONGRESS  
2d Session  
**H. CON. RES. 473**

Expressing the sense of Congress with respect to the importance of the United States working through the United Nations to assure Iraq's compliance with United Nations Security Council resolutions and advance peace and security in the Persian Gulf region.

**IN THE HOUSE OF REPRESENTATIVES**

**SEPTEMBER 19, 2002**

Ms. LEE (for herself, Mrs. CLAYTON, Ms. RIVERS, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mr. KUCINICH, Ms. MCKINNEY, Mr. OWENS, Ms. KILPATRICK, Ms. WATSON of California, Mr. RUSH, Mrs. CHRISTENSEN, Mr. HILLIARD, Mr. CLAY, Mr. STARK, Mr. FARR of California, Ms. KAPTUR, Ms. BALDWIN, Mr. FILNER, Ms. WOOLSEY, Mr. CLYBURN, Mr. DAVIS of Illinois, Ms. BROWN of Florida, Mr. SERRANO, Ms. SOLIS, and Mr. CONYERS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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**CONCURRENT RESOLUTION**

Expressing the sense of Congress with respect to the importance of the United States working through the United Nations to assure Iraq's compliance with United Nations Security Council resolutions and advance peace and security in the Persian Gulf region.

Whereas on April 6, 1991, during the Persian Gulf War, Iraq accepted the provisions of United Nations Security Council Resolution 687 (April 3, 1991) bringing a formal cease-fire into effect; Whereas, in accordance with Security Council Resolution 687, Iraq unconditionally accepted the destruction, removal, or rendering harmless of 'all chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities related thereto', and 'all ballistic missiles with a range greater than one hundred and fifty kilometers, and related major parts and repair and production facilities';

Whereas, in accordance with Security Council Resolution 687, Iraq unconditionally agreed not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities;

Whereas Security Council Resolution 687 calls for the creation of a United Nations special commission to 'carry out immediate on-site inspection of Iraq's biological, chemical, and missile capabilities' and to assist and cooperate with the International Atomic Energy Agency in carrying out the 'destruction, removal or rendering harmless' of all nuclear-related items and in developing a plan for the ongoing monitoring and verification of Iraq's compliance;

Whereas United Nations weapons inspectors (UNSCOM) between 1991 and 1998 successfully uncovered and destroyed large stockpiles of chemical and biological weapons and production facilities, nuclear weapons research and development facilities, and Scud missiles, despite the fact that the Government of Iraq sought to obstruct their work in numerous ways;

Whereas in 1998, UNSCOM weapons inspectors were withdrawn from Iraq and have not returned since;

Whereas Iraq is not in compliance with United Nations Security Council Resolution 687, United Nations Security Council Resolution 1154, and additional United Nations resolutions on inspections, and this noncompliance violates international law and Iraq's ceasefire obligations and potentially endangers United States and regional security interests;

Whereas the true extent of Iraq's continued development of weapons of mass destruction and the threat posed by such development to the United States and allies in the region are unknown and cannot be known without inspections;

Whereas the United Nations was established for the purpose of preventing war and resolving disputes between nations through peaceful means, including 'by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional arrangements, or other peaceful means';

Whereas the United Nations remains seized of this matter;

Whereas the President has called upon the United Nations to take responsibility to assure that Iraq fulfills its obligations to the United Nations under existing United Nations Security Council resolutions;

Whereas war with Iraq would place the lives of tens of thousands of people at risk, including members of the United States armed forces, Iraqi civilian non-combatants, and civilian populations in neighboring countries;

Whereas unilateral United States military action against Iraq may undermine cooperative international efforts to reduce international terrorism and to bring to justice those responsible for the attacks of September 11, 2001;

Whereas unilateral United States military action against Iraq may also undermine United States diplomatic relations with countries throughout the Arab and Muslim world and with many other allies;

Whereas a preemptive unilateral United States first strike could both set a dangerous international precedent and significantly weaken the United Nations as an institution; and

Whereas the short-term and long-term costs of unilateral United States military action against Iraq and subsequent occupation may be significant in terms of United States casualties, the cost to the United States treasury, and harm to United States diplomatic relations with other countries: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the United States should work through the United Nations to seek to resolve the matter of ensuring that Iraq is not developing weapons of mass destruction, through mechanisms such as the resumption of weapons inspections, negotiation, enquiry, mediation, regional arrangements, and other peaceful means.*