

108TH CONGRESS
1ST SESSION

S. RES. 28

Expressing the sense of the Senate that the United Nations weapons inspectors should be given sufficient time for a thorough assessment of the level of compliance by the Government of Iraq with United Nations Security Council Resolution 1441 (2002) and that the United States should seek a United Nations Security Council resolution specifically authorizing the use of force before initiating any offensive military operations against Iraq.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2003

Mr. BYRD (for himself, Mr. KENNEDY, Mr. BINGAMAN, Mrs. FEINSTEIN, Mr. INOUYE, Mr. SARBANES, and Mrs. BOXER) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate that the United Nations weapons inspectors should be given sufficient time for a thorough assessment of the level of compliance by the Government of Iraq with United Nations Security Council Resolution 1441 (2002) and that the United States should seek a United Nations Security Council resolution specifically authorizing the use of force before initiating any offensive military operations against Iraq.

Whereas on November 8, 2002, the United Nations Security Council adopted Resolution 1441, stating that Iraq is in “material breach” of its obligations under previous

United Nations resolutions, and giving Iraq “a final opportunity to comply with its disarmament obligations” and to accept “an enhanced inspection regime”;

Whereas Iraq formally accepted the return of weapons inspectors under the terms of United Nations Security Council Resolution 1441 on November 13, 2002, and according to a joint statement issued January 20, 2003, by the International Atomic Energy Agency (IAEA), the United Nations Monitoring and Verification Commission (UNMOVIC), and Iraq, the Government of Iraq has provided the weapons inspectors with access to all sites;

Whereas on December 7, 2002, Iraq provided a 12,000-page declaration of past chemical, biological, and nuclear programs to the Security Council, which declaration, after preliminary review, was described by Mohamed ElBaradei, the Director General of the IAEA, as incomplete and inconclusive, but which produced no “smoking gun”;

Whereas, according to the joint statement made by UNMOVIC, IAEA, and Iraq on January 20, 2003, Iraq pledged to offer United Nations inspectors more help in their search for evidence of weapons of mass destruction and expressed a readiness to respond to questions raised in connection with the December 7, 2002 declaration;

Whereas Hans Blix, Executive Chairman of UNMOVIC, reported to the United Nations Security Council on January 27, 2003, that Iraq has been cooperating with the weapons inspectors on process but has failed to demonstrate active cooperation on matters of substance;

Whereas Dr. Blix earlier characterized the January 27, 2003, report to the Security Council as an interim update in-

tended to mark “the beginning of the inspection and monitoring process, not the end of it”;

Whereas IAEA Director General ElBaradei reported to the Security Council on January 27, 2003, that his agency has found no evidence that Iraq has revived its nuclear weapons program;

Whereas Dr. ElBaradei urged the Security Council on January 27, 2003, to allow the inspection process to “run its natural course” over the next few months;

Whereas the United Nations weapons inspectors have failed to obtain evidence that would prove that Iraq is in material breach of the terms of the United Nations Security Council Resolution 1441 (2002);

Whereas European and Arab officials are reportedly trying to persuade Saddam Hussein to leave Iraq voluntarily, and senior officials in the executive branch of the United States Government have said that they would welcome exile for Hussein;

Whereas the emergence of a nuclear crisis in North Korea, and the contradictory responses by the United States to the situations in North Korea and Iraq, have cast doubts on the consistency and propriety of the United States doctrine of preemption, especially in the international community;

Whereas war with Iraq to enforce United Nations Security Council Resolution 1441 (2002) should not be a unilateral decision as it is likely to have international ramifications on the worldwide supply of oil, including the possibility of widespread economic destabilization if Middle East oil supplies are interrupted;

Whereas key members of the United Nations Security Council, including Great Britain, Germany, the Russian Federation, France, and China, have expressed their belief that the weapons inspectors need more time to continue their work and have urged the United States not to rush to a decision to invade Iraq without seeking the support of the Security Council;

Whereas United Nations Security Resolution 1441 (2002) does not authorize the use of force but instead stipulates that the Security Council will convene immediately to consider any failure on the part of Iraq to comply with the Resolution;

Whereas the President, in his September 12, 2002, address to the United Nations regarding Iraq's failure to comply with previous United Nations Security Council resolutions, pledged to work with the Security Council for the "necessary resolutions" and has stated repeatedly since that time that he has made no decision on whether to invade Iraq:

Whereas no evidence has been presented to the Senate or the American people to link Iraq with the September 11, 2001, terrorist attacks on the United States;

Whereas there is growing concern that war with Iraq would greatly heighten the threat of terrorist attacks on United States citizens at home, including the possibility of chemical, biological, or nuclear weapon attacks;

Whereas the terrible cost of war—in lives lost in Iraq and potentially the United States, Israel, and other nations in the Middle East and elsewhere, and in the massive drain on America's treasure—is a cost that the United States and its allies should strive to avoid if at all possible; and

Whereas a United States-initiated war with Iraq is likely to inflame passions in the Middle East and could precipitate further conflict between the Israelis and Palestinians as well as a surge in regional terrorism: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) the United Nations weapons inspectors
3 should be given sufficient time to carry out the in-
4 spections, and collect the data, that are necessary
5 for a thorough assessment of the level of compliance
6 by the Government of Iraq with United Nations Se-
7 curity Council Resolution 1441 (2002);

8 (2) the United States and other member na-
9 tions of the United Nations Security Council should
10 work together to exhaust all peaceful and diplomatic
11 means for disarming Iraq before launching an inva-
12 sion of Iraq;

13 (3) international emissaries, including Euro-
14 pean and Arab leaders, should be given adequate
15 time to pursue strategies to persuade Saddam Hus-
16 sein to leave Iraq voluntarily and avert war;

17 (4) before initiating any offensive military oper-
18 ation in Iraq to enforce United Nations Security
19 Council Resolution 1441 (2002), the United States
20 should seek a specific authorization for the use of
21 force from the United Nations Security Council;

5 (6) the United States should redouble its efforts
6 to secure the United States homeland in light of the
7 growing number of intelligence assessments high-
8 lighting the vulnerability of the United States for
9 further terrorist attacks.