

# Out Of Iraq A Practical Plan For Withdrawal Now

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*A. Ahmed Elizabeth R. Wilcox Benedetto Conforti Sikak H̄d̄d al-H̄k̄mah al-  
J̄Irāqīyah Robin Torres-Gouzerh Robin Torres-Gouzerh*

the 2003 iraqi war has heightened kurdish nationalism not only in the iraqi kurdistan but also in turkey syria and iran having enjoyed 13 years of self government in the safe haven zone which was created and protected by the 1991 persian gulf war allies the iraqi kurds have embarked on an ambitious campaign to consolidate their political and economic gains of the past thirteen years the kurds are seeking safeguards from both the coalition provisional authority led by the united states and from the iraqi governing council with a view to preventing the recurrence of past atrocities committed against them by successive arab governments in baghdad the kurdish campaign has faced stiff opposition from their neighbors to their demand for the creation of a federal democratic and secular system of government in iraq while the arab opposition inside iraq are fearful that the introduction of such a system might lead to the disintegration of the country the neighboring countries claim that granting the kurds greater freedom in iraq will incite their kurdish population to demand the same the book presents pros and cons regarding the kurdish demand

co published by oxford university press and the international law institute and prepared by the office of the legal adviser at the department of state the digest of united states practice in international law presents an annual compilation of documents and commentary highlighting significant developments in public and private international law and is an invaluable resource for practitioners and scholars in the field each edition compiles excerpts from documents such as treaties diplomatic notes and correspondence legal opinion letters judicial decisions senate committee reports and press releases each document is selected by members of the legal adviser s office of the u s department of state based on their judgments about the significance of the issues their potential relevance to future situations and their likely interest to scholars and practitioners in almost every case the commentary to each excerpt is accompanied by a citation to the full text featured in the 2009 digest are excerpts from and discussion of numerous documents relating to issues of current interest including the following final rule issued by the u s department of health and human services eliminating ban on people with hiv from entering the

united states 74 fed reg 56 547 nov 2 2009 chapter 1 nationality citizenship and immigration u s federal court decisions involving first amendment challenges to district court decisions upholding denials of visas to individuals accused of having contributed funds to terrorist organizations e g the second circuit vacated and remanded a district court s decision upholding the denial of a visa to muslim scholar tariq ramadan american academy v napolitano 573 f 3d 115 2d cir 2009 chapter 1 nationality citizenship and immigration u s motion to dismiss petition for a writ of habeas corpus filed by a mexican national who claimed that he would be tortured if extradited to mexico to face homicide charges saldana v united states no 2 09 cv 02786 jpm cgc w d tenn 2009 chapter 3 international criminal law eleventh circuit affirmation of district court s 2008 decision denying writ of habeas corpus to former panamanian dictator manuel noriega to prevent his extradition to france noriega v pastrana 564 f 3d 1290 11th cir 2009 chapter 3 international criminal law u s grant of two petitions for certiorari in a case challenging constitutionality of the provisions of the antiterrorism and effective death penalty act of 1996 pub l no 104 132 110 stat 1214 that make it a criminal offense for any person within the united states or subject to u s jurisdiction knowingly to provide material support or resources to a designated foreign terrorist organization fto holder v humanitarian law project 130 s ct 534 2009 humanitarian law project v holder 130 s ct 534 2009 chapter 3 international criminal law statement of secretary of state hillary rodham clinton about the human rights agenda for the 21st century georgetown university december 14 2009 chapter 6 human rights u s statements to the un human rights council relating to the gaza conflict and the report of the un fact finding mission on the gaza conflict the goldstone report chapter 6 human rights statement of president barack h obama and memorandum to the secretary of state and the administrator of the united states agency for international development on the rescission of the mexico city policy which had directed usaid to withhold usaid funds from any nongovernmental organization using non usaid funds to engage in activities relating to abortion chapter 6 human rights letter of secretary of state hillary rodham clinton to senator jeanne shaheen outlining u s initiatives to end the use of rape and sexual violence in conflict zones particularly in sudan and the democratic republic of the congo accompanied by the proposed strategic plan for combating violence against women in sudan and the democratic republic of the congo drc and statement of

secretary of state clinton to the un security council regarding u s led resolution concerning sexual violence in situations of armed conflict chapter 6 human rights statement of ambassador susan rice u s permanent representative to the united nations and white house senior advisor valerie jarrett on the views of the u s towards the un convention on the rights of persons with disabilities signed by the u s on july 30 2009 chapter 6 human rights statement of harold hongju koh department of state legal adviser to the international court of justice discussing whether the unilateral declaration of independence by the provisional institutions of self government of kosovo is in accordance with international law chapter 9 diplomatic relations succession and continuity of states u s federal court decisions relating to actions brought under sovereign states under the foreign sovereign immunities act including actions against the holy see the islamic republic of iran and the kingdom of saudi arabia chapter 10 foreign sovereign immunity diplomatic note indicating change in policy of the department of state to extend the definition of family forming part of the household of a diplomatic agent to include same sex domestic partners domestic partners for purposes of the application of the vienna convention on diplomatic relations and vienna convention on consular relations in the united states 74 fed reg 36 112 july 22 2009 chapter 10 foreign sovereign immunity the office of the u s trade representative s 2009 special 301 report to identify those foreign countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to u s persons that rely upon intellectual property protection chapter 11 trade commercial relations investment and transportation statement of the contact group on piracy off the coast of somalia cgpcs hosted by the united states at un headquarters in new york chapter 12 territorial regimes and related issues president barack h obama s december 18 2009 press briefing relating to the copenhagen accord reached by the major world economies at the fifteenth session of the conference of the parties to the un framework convention on climate change chapter 13 environment and other transnational scientific issues testimony of keith loken assistant legal adviser for private international law department of state in support of the hague convention on the international recovery of child support and other forms of family maintenance which was signed by the united states but awaits senate approval chapter 15 private international law various documents relating to the u s position on the imposition or

retention of sanctions against or the curtailment of assistance to countries including the democratic people s republic of korea iran eritrea the democratic republic of congo sudan burma madagascar and honduras chapter 16 sanctions memorandum of president barack h obama to the secretaries of state treasury and commerce instructing them to take certain actions to implement a new policy to promote democracy and human rights in cuba including facilitating greater contact between separated family members in the united states and cuba and increasing the flow of remittances and information to the cuban people chapter 16 sanctions u s positions on the peace process in the israeli palestinian conflict and the resolution of the north south conflict in sudan as well as u s positions on peacekeeping in georgia kosovo lebanon and somalia chapter 17 international conflict resolution and avoidance excerpts from executive order 13491 ensuring lawful interrogations 74 fed reg 4893 jan 27 2009 which was intended to improve the effectiveness of human intelligence gathering to promote the safe lawful and humane treatment of individuals in united states custody and of united states personnel who are detained in armed conflicts to ensure compliance with the treaty obligations of the united states including the geneva conventions and to take care that the laws of the united states are faithfully executed chapter 18 use of force arms control and disarmament and nonproliferation excerpts from executive order 13492 review and disposition of individuals detained at the guantánamo bay naval base and closure of detention facilities 74 fed reg 4897 jan 27 2009 chapter 18 use of force arms control and disarmament and nonproliferation other u s positions relating to treatment of detainees upon release as well as u s federal court decisions relating to habeas litigation involving current detainees held at guantanamo and in afghanistan and civil suits involving former guantanamo detainees chapter 18 use of force arms control and disarmament and nonproliferation

this volume is the up to date english version of the fifth italian edition of a textbook on the united nations which was first published in 1971 by cedam padua the book aims to provide a comprehensive legal analysis of problems concerning membership the structure of u n organisations their functions and their acts taking into consideration the text of the charter its historical origins and particularly the practice of the organisations developments in united nations practice subsequent to

1971 have obviously been taken into account as a general working criterion the more recent practice has been added to the pre existing one rather than substituting it even when past practice may appear to be obsolete indeed one of the aims of the book is to trace the story of the united nations from its birth precisely through an analysis of the practice moreover since the charter has never undergone any substantive modifications one cannot exclude that what may appear to be old and obsolete today could become of current interest in the future for this reason the examination of former practice will sooner or later become useful to anyone seeking to interpret the charter for instance in 1975 the united states proposed the admission of the two vietnams which were separate countries at that time and of the two koreas under the package technique thus the well known 1948 advisory opinion of the international court of justice on the package proposed by the soviet union for collective admission in the 40s and 50s again became timely despite its having appeared obsolete this legal analysis which is free of dogmatism and firmly linked to practice describes the roleplayed by the united nations in the past and at present better than many lengthy and inconclusive political or sociological studies the book is very much focused on the charter as it stands while it only marginally deals with reforms that might be introduced such as those concerning the structure of the security council and the general assembly indeed it is difficult to foresee radical reforms giving the un an entirely new shape this is particularly true with regard to endowing the organisation with the force and efficacy that would be needed for the maintenance of peace and security recent events have clearly shown how unfeasible such an endowment would be

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