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Congress of the United States
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COMMITTEE ON OVERSIGHT AND
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COMMITTEE ON EDUCATION AND THE
WORKFORCE

June 10, 2011

The Honorable Ban Ki- moon
Secretary General
The United Nations
First Avenue at 46th Street
New York, New York 10015

The Honorable Luis Moreno-Ocampo
Prosecutor
International Criminal Court
PO Box 19519
2500 CM, The Hague
The Netherlands

Dear Secretary General Ban and Prosecutor Moreno-Ocampo:

I write to express my grave concern over a recent report that states that a senior North Atlantic Treaty Organization (NATO) official believes that Libyan President Muammar Gaddafi is a legitimate target under United Nations Security Council Resolution (UNSCR) 1973. Therefore, I ask that the United Nations take immediate steps to address this and other violations of the U.N. mandate which was to protect civilians in Libya.

NATO has taken actions in Libya that raise serious questions about the military intervention in the country, including a strike conducted by NATO in April on a compound in Tripoli that reportedly killed Saif Al-Arab Gaddafi, Gaddafi's youngest son, and three of his grandchildren. NATO is acting in Libya pursuant to UNSCR 1973, which authorized an international military intervention for the sole purpose of protecting Libyan civilians. A NATO strike to deliberately target a leader of a foreign country clearly exceeds this mandate and must not be tolerated. The lack of accountability for U.N. member states and international arrangements if they act beyond the U.N. Security Council mandate makes it clear that absent the intervention of your good offices U.N. resolutions can be violated with impunity.

It is imperative that NATO be held accountable for any actions that violate UNSCR 1973 and international law. The United Nations must take immediate action to ensure compliance with UNSCR 1973, or risk a continued escalation of the conflict at the cost of many more lives. The U.N. has an obligation to protect civilians under international law and to ensure that military operations it has authorized are conducted in accordance to such laws.

The failure of the United Nations and the International Criminal Court to effectively intervene to stop such egregious violations by NATO risks the serious degrading of international institutions whose very existence depends upon compliance with and enforcement of international law.

Sincerely,

A handwritten signature in black ink that reads "Dennis J. Kucinich". The signature is written in a cursive style with a large initial 'D' and a distinct 'J'.

Dennis J. Kucinich
Member of Congress