

RESOLUTION 4/2018

COMMITTEE ON USE OF FORCE

The 78th Conference of the International Law Association, held in Sydney, Australia, 19–24 August 2018:

HAVING CONSIDERED the Final Report of the Committee on the Use of Force;

TAKES NOTE of the Committee's Final Report and **COMMENDS** it to all those concerned with the international law on the use of force;

ENDORSES the following conclusions set forth in the Final Report:

- (a) The UN Charter goal of collective peace and security depends upon strict adherence to the international law on the use of force;
- (b) What is needed are not new rules on the use of force, but political will on the part of States, including members of the UN Security Council. The Security Council must use its powers proactively, positively and with clarity;
- (c) Article 8 *bis* of the Rome Statute of the International Criminal Court (crime of aggression) is relevant only to the crime over which the International Criminal Court has jurisdiction; it neither affects the definition of 'act of aggression' within the meaning of Article 39 of the UN Charter nor should it lead to a diminished appreciation of the prohibition of the use of force under Article 2(4) of the UN Charter and customary international law, and the constraints on States resulting therefrom;
- (d) Overall the current international law on the use of force, properly interpreted and applied, remains a solid 'cornerstone' for international peace and security;

CALLS on all States to observe strictly the rules of international law concerning the use of force;

REQUESTS the Secretary-General of the Association to transmit this resolution together with the Committee's Final Report to the Secretary-General of the United Nations for further distribution;

RECOMMENDS to the Executive Council that the Committee on Use of Force, having accomplished its mandate, be dissolved.