

Introduction

1. The A66(*.a+\$) a staff 8e89e of \$,e U+*e! Na\$*o+s De/e(o68e+\$ P og a8 8e ":UNDP;#7 e<'es\$s s's6e+s*o+ of a.\$*o+7 6e+!*+g 8a+age8e+\$ e/a('a\$*o+7 of \$,e !e.*s*o+ \$o se6a a\$e ,*8 fo8 se /*.e o+ ,ea(\$, g o'+!s effe.\$*/e 31 &'() 2020.

Facts

2. O+ = Se6\$e 89e 201>7 \$,e A66(*.a+\$ f*(e! a .(a*8 9efo e \$,e A!/*so) Boa ! o+ Co86e+sa\$*o+ C(a*8s ":ABCC;#7 '+!e A66e+!*? D \$o \$,e S\$aff R'(es "ST/SGB/S\$aff R'(es/A66e+!*? D/ Re/.17 .o+so(*!a\$e! \$e?\$7 ,e e*+af\$e

10. The Resolutions (6/8 a) and (6/8 a) are not valid as follows:

Prima facie unlawfulness

a. The resolution (6/8 a) of the Security Council, adopted on 18 September 2001, is not valid as it is not in conformity with the Charter of the United Nations, in particular Article 24, paragraph 2, which provides that the Security Council shall act in accordance with the Charter and the purposes and principles of the United Nations.

9. The Security Council, in its resolution 1373 (2001), adopted on 28 September 2001, is not valid as it is not in conformity with the Charter of the United Nations, in particular Article 24, paragraph 2, which provides that the Security Council shall act in accordance with the Charter and the purposes and principles of the United Nations.

Urgency

.. The Security Council, in its resolution 1373 (2001), adopted on 28 September 2001, is not valid as it is not in conformity with the Charter of the United Nations, in particular Article 24, paragraph 2, which provides that the Security Council shall act in accordance with the Charter and the purposes and principles of the United Nations.

12. The T*9'+a(.o+s*!e s \$,a\$7 fo a+ a66(*.a\$o+ fo s's6e+s*o+ of a.\$*o+ \$o 9e s' . .essf'(7 *\$ 8 's\$ sa\$*sf) \$,e fo((o@*+g 8a+!a\$o) a+! . ' 8 '(a\$*/e .o+!*\$*o+s:

a. The A66(*.a+\$ e<'esse! 8a+age 8e+\$ e/a('a\$o+ of \$,e .o+\$esse! !e.*s*o+7 @, * ., e/a('a\$o+ *s o+go*+gH

9. The .o+\$esse! !e.*s*o+ ,as +o\$)e\$ 9ee+ * 86(e 8e+\$e!H

.. The a66(*.a\$o+ .o+.e +s a+ a! 8*+s\$ a\$*/e !e.*s*o+ \$,a\$ 8a) 6 o6e () 9e s's6e+!e! 9) \$,e T*9'+a(H

!. The *86'g+e! a! 8*+s\$ a\$*/e !e.*s*o+ a66ea s 6 *8a fa.*e \$o 9e '+@f'(H

e. I\$s * 86(e 8e+\$a\$o+ @o'(! .a'se * e6a a9(e !a 8ageH a+!

f. The .ase *s of 6a \$*. '(a ' ge+.).

13. I+ \$,e 6 ese+\$.ase7 @,*(e +o *ss'e *s a*se! a9o'\$

20. To f' \$,e s'9s\$a+\$*a\$e ,*s .(a* 8 of 6 * 8a fa.*e '(a@f'(+ess7 \$,e A66(*.a+\$
. *\$e! a s6e.*f*. 6a \$ of Massi:

F2. G*/e+ \$,a\$.o 8 6e+sa\$*o+ fo (oss of ea +*+g .a6a.*\$) *s
8 ea+\$ \$o e6(a.e a sa(a) *+ .ase of 6a \$*a(!*sa9(*\$)7 \$,e T *9'+a(*s
of \$,e /*e@ \$,a\$7 *+ 6 *+. *6(e7 \$,e e s,o'(! 9e +o *+se '6\$*o+ of
6a) 8e+\$ as (o+g as \$,e !*sa9(*+g .o+!*\$*o+ 6e s*\$s. l\$ *s \$,e efo e of
\$,e o '\$ 8 os\$ *8 6o \$a+.e \$,a\$ e/*e@ of \$,e e+\$*(e 8e+\$s 9e 8a!e *+ a
\$* 8e() 8a++e a+! +o\$ o\$,e @*se.

21. T,e a9o/e7 ,o@e/e 7 !oes +o\$ s' 66o \$ \$,e .o+\$e+\$*o+ \$,a\$ a s\$aff 8e 89e 8 's\$
9e e\$a*+e! *+ se /*.e @, *(e a+ ABCC .(a* 8 *s 6e+!*+g.

22. T,e efo e7 \$,e e *s +o e<'* e 8e+\$ \$,a\$ \$,e s\$aff 8e 89e 9e *+ se /*.e fo , *s
a66ea(\$o 9e .o+s*!e e! a+! a.\$e! '6o+ a+! \$,e A66(*.a+\$Cs .o+\$e+\$*o+ \$,a\$ \$,e
\$e 8*+a\$*o+ of ,*s a66o*+\$ 8e+\$ @*((e+!e ,*8 '+a9(e \$o 9e .o+s*!e e! fo
A66e+!*? D *s '+fo'+!e!.

23. Co+se<'e+\$()7 \$,e T *9'+a(f*+!s \$,a\$ \$,e .o+\$es\$e! !e.*s*o+ *s +o\$ 6 * 8a
fa.*e '(a@f'.

2B. T,e 6 *+. *6(e a9o/e e.a((e! !oes 8ea+7 ,o@e/e 7 \$,a\$ \$,e O ga+*Da\$*o+ ,as
a !'') \$o \$* 8e() e?a 8*+e .(a* 8s a+! !e.*!e o+ \$,e 8. T,e \$* 8e e(a\$e! e(e 8e+\$ *+
a \$. 11.2"!#7 +a 8e() : '6o+ se6a a\$*o+ f o 8 se /*.e;7 !e\$e 8*+es \$,e !a\$e a\$ @, *.,
e+\$*(e 8e+\$ \$o .o 8 6e+sa\$*o+ a.. 'es. As s'.,7 as e(a9o a\$e! *+ Massi7 *f \$,e
O ga+*Da\$*o+ fa*(s \$o '+!e \$aAe a \$* 8e() e/*e@ a+! !e\$e 8*+a\$*o+ of A66e+!*? D
(a* 8s7 *\$ @*((9e f*+a+. *a(() (*a9(e fo !e(a)s *+. ' e! '6o+ '(ess \$,e) a e
a\$ \$*9'\$a9(e \$o \$,e s\$aff 8e 89e /fo 8e s\$aff 8e 89e .o+.e +e!. No\$*+g \$,a\$ \$,e
A66(*.a+\$Cs .ase a ose *+ 201>7 \$,e T *9'+a(e+.o' ages a((\$,ose *+/o(/e! \$o 9 *+g
\$,e !e\$e 8*+a\$*o+ of ,*s A66e+!*? D .(a* 8/a66ea(\$o a .(ose a\$ \$,e ea (*es\$ \$* 8e
6oss*9(e.

2>. 3a/*+g ea. ,e! \$,e sa*! f*+!*+g a+! g*/e+ \$,e . ' 8 '(a\$*/e +a\$' e of \$,e (ega(
ses\$ e(a\$e! \$o \$,e .o+s*!e a\$*o+ of a66(*.a\$*o+s fo s's6e+s*o+ of a.\$*o+7 \$,e
T *9'+a(@*((+o\$ e?a 8*+e \$,e e 8a*+*+g e<'* e 8e+\$s of ' ge+.) a+! * e6a a9(e
!a 8age.

