

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Agenda]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Adoption of the agenda]

TXT[Adoption of the agenda

Notes verbales dated 16 November and 7 December 1993 from the Permanent Representative of Jordan addressed to the Chairman  
Letter dated 10 December 1993 from the Permanent Representative of Iraq addressed to the Chairman  
Communications from the Food and Agriculture Organization of the United Nations  
Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman  
Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman  
Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General  
Communications relating to the sub-account of the escrow account  
Communications under the "no-objection" procedure  
Other matters ADOPTION OF THE AGENDA The agenda was adopted.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Notes verbales dates 16 November and 7 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4006 and COMM.4038)]

TXT[Drew attention to two notes verbales dated 16 November and 7 December 1993 from the Permanent Mission of Jordan (S/AC.25/1993/COMM.4006 and COMM.4038) informing the Committee of the shipments of food and medical supplies that passed through the Reweished frontier post on their way to Iraq during the period from 21 to 31 October and from 1 to 20 November 1993, respectively. He took it that, according to its usual practice, the Committee wished to take note of those communications. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 10 December 1993 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1993/COMM.4040)]

TXT[Drew attention to a letter from Iraq contained in document S/AC.25/1993/COMM.4040, which provided information to the Committee concerning the effects of the sanctions regime on the health of Iraqi nationals.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Letter dated 10 December 1993 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1993/COMM.4040)]

TXT[Believed that the Committee should take note of the letter; however, it should also take account of the health data included therein and should keep that information in mind when considering future requests to ship medical supplies to Iraq.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Letter dated 10 December 1993 from the Permanent  
Representative of Iraq addressed to the Chairman  
(S/AC.25/1993/COMM.4040)]

TXT[Morocco's point regarding the need to expedite procedures for  
the approval of requests for the shipment of medical supplies was  
well taken. He took it that the Committee wished to take note of  
the request. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]  
SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Communications from the Food and Agriculture Organization of  
the United Nations (FAO) (S/AC.25/1993/COMM.4009 and COMM.4049)]  
TXT[Drew attention to two letters from the Deputy Director-General  
of the Food and Agriculture Organization of the United Nations  
(S/AC.25/1993/COMM.4009 and COMM.4049) responding to a request from  
the Committee for comments concerning Iraq's request to fly its  
aircraft for agricultural purposes in the air interdiction zone in  
1994. He recalled that the Committee had considered the Iraqi  
requests (S/AC.25/1993/COMM.3135 and Add.1) at its 102nd meeting  
and had decided to seek additional information and comments from  
FAO. The first letter contained information regarding FAO's  
oversight of pest control operations in prior years and confirmed  
the need for a new operation in 1994. Furthermore, FAO expressed  
its readiness to supervise the 1994 operation in accordance with  
conditions established by the Committee for previous operations.  
The second letter contained similar information regarding rain-  
making operations.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Adank] MS[New Zealand] FCT[Member] LANG[1]  
ITEM[Communications from the Food and Agriculture Organization of  
the United Nations (FAO) (S/AC.25/1993/COMM.4009 and COMM.4049)]  
TXT[Believed the response from FAO was helpful and he suggested the  
Committee could write a letter to FAO requesting further details.  
He hoped that the conditions outlined in the first letter with  
respect to the 1994 spraying campaign could be used by the  
Committee in formulating a response to the Iraqi request.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Girre] MS[France] FCT[Member] LANG[1]  
ITEM[Communications from the Food and Agriculture Organization of  
the United Nations (FAO) (S/AC.25/1993/COMM.4009 and COMM.4049)]  
TXT[Supported the course of action suggested by New Zealand and said that the  
Committee should send the letters as soon as possible.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]  
SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Communications from the Food and Agriculture Organization of  
the United Nations (FAO) (S/AC.25/1993/COMM.4009 and COMM.4049)]  
TXT[Took it that the Committee wished to proceed along the lines  
suggested by New Zealand and France. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]  
SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]  
TXT[Drew attention to a letter from the Permanent Representative of Jordan (S/AC.25/1993/COMM.4025), containing critical remarks regarding so-called inconsistency in the work of the Committee. The letter suggested that the Committee should take its decisions on the basis of what it referred to as the "category-basis concept", which was a system for approving requests on the basis of categories of items. Under that system, once the export of a given material to Iraq had been approved, that approval should serve as the basis for action on similar requests without recourse to the current time-consuming procedures of the Committee. In that context, he drew attention to the current backlog: as of 15 December 1993, the Committee had received a total of 4,700 communications from Member States, which represented nearly a three-fold increase in its workload in comparison with the corresponding period in 1992.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]  
SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]  
TXT[Of the 4,700 communications received, approximately 80 per cent fell under the "no-objection" procedure. The deadline for comments on those communications had been postponed until the second quarter of 1994. Moreover, the Committee secretariat would be greatly constrained in its ability to handle the ever-increasing workload unless the existing procedures could be modified.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Rose] MS[United States] FCT[Member] LANG[1]  
ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]  
TXT[The Permanent Representative of Jordan had discussed the letter with members of the United States Mission, who had made the case that approval on a case-by-case basis was the most flexible approach to take in implementing the sanctions regime and that a system of approval by categories of items might well produce as many blanket denials as blanket authorizations. On the basis of his own discussions with Jordanian officials, he had received the impression that Jordan did not fully understand the way in which the sanctions regime was supposed to operate. His delegation would be open to suggestions as to how to explain the Committee's work to the Jordanian public.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Shackleton] MS[United Kingdom] FCT[Member] LANG[1]  
ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]  
TXT[The consistency of the Committee's decisions was mostly a function of the consistency of the information upon which those decisions were based. He agreed with the United States representative that it would be useful to inform the Jordanian

public of the procedures the Committee used in its work and suggested that the Committee should identify ways of familiarizing Jordanian businessmen with the application process.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Girre] MS[France] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[His delegation also believed there was a need to clarify for the Jordanians the Committee's procedures. With regard to the question of modifying those procedures, France would prefer the Committee to continue to use a case-by-case approach.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[It was clear that Jordan was calling on the Committee to adopt a creative approach to the problems mentioned in the letter. He believed that Jordan wished to be cooperative, but did not fully understand all the implications of the Committee's procedures. The Committee needed to be certain that it maintained its credibility by treating requests consistently. In addition, the Committee needed to consider new ideas with a view to resolving the question how to treat separate requests for different quantities of a particular item or material.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Chen] MS[China] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[His delegation was very concerned about the situation described in the letter from Jordan and believed that pragmatism was called for. If there had not been problems of the kind discussed in the letter, Jordan would have had no reason to send it. He had noted occasions on which the Committee had been inconsistent in its treatment of certain products. For example, some requests for glass ashtrays had been blocked, while others had been approved. The letter had also mentioned the time consuming procedures used by the Committee. In the case of items that needed to be shipped quickly, such as burial cloth, the Committee should try to shorten the period required for approval.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Raza] MS[Pakistan] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[The concerns in the letter were genuine and called for a more direct response than a letter explaining the Committee's procedures, which could be interpreted as a patronizing gesture. In order to determine the merits of the complaint, the Committee could request from Jordan a list of the items the treatment of which had been inconsistent. If, after analysing the specific cases, the Committee determined that it had been inconsistent, it could then

modify its procedures.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Rose] MS[United States] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[It was not the Committee's intention to be patronizing. His delegation had been informed that Jordanian businessmen did not understand the Committee's procedures. The Committee should therefore help the Jordanian Government and, through it, Jordanian businessmen, to the extent that it could. Moreover, the case-by-case approach was the only approach permitted under the resolution. With regard to the question of ashtrays, the Committee needed the kind of flexibility provided by a case-by-case treatment of requests; a rigid approach based on precedent could lead the Committee to blanket rejections.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Raza] MS[Pakistan] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Had no objection to helping Jordanian businessmen and believed that explanations were in order; however, the Committee should not restrict its actions to providing that information. The Committee should also seek additional information from Jordanian businessmen that would help to determine whether it should modify its procedures.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Dorani] MS[Djibouti] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Shared the views of Morocco, China and Pakistan with respect to the need to modify the Committee's procedures. Since Jordan was helping to promote the Israeli-Arab peace process, it was important to provide the Jordanian Government with the assistance it needed to continue to make a contribution in that regard. The Committee should not alienate the business community in Jordan since the Government of Jordan depended upon that community for its support. If the Jordanian Government should lose that support, it would be increasingly difficult for Jordan to participate in peace negotiations.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Gatilov] MS[Russia] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[While some decisions taken by the Committee might appear to persons unfamiliar with its work, to be inconsistent, his Government believed that the procedures developed by the Committee were fully justified. He shared the view expressed by other delegations that, in many cases, the Committee's decisions depended not only on the type of product to be exported, but also on the end-user of the product. It was important for the Committee's work

to be understood both in Jordan and in other countries which did not have a full picture of how the Committee operated. The time required for the consideration of requests was another problem. His delegation had no specific proposals for rationalizing the Committee's work; perhaps the Secretariat could suggest some solutions in that area.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Cardoso] MS[Brazil] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Under the terms of its mandate, the Committee could not operate on a category-driven basis. There was room for improvement in the Committee's cooperation with the Jordanian Government; one way of achieving that would be to continue to improve the Committee's working methods. It might be helpful for any national authorities to be able to explain to individuals and enterprises in their countries the basis on which the Committee had taken a given decision. For that reason, his delegation appreciated the Secretariat's efforts to explain to requesting countries why their applications had been rejected. With regard to the issue raised by the representative of the Russian Federation, it might be useful to consider whether, in the future, the period for the submission of objections could be shortened.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bivero] MS[Venezuela] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Agreed that cooperation with Jordan was important for the sanctions regime. It was equally important to explain to the Jordanian Government the scope and modalities of the Committee's work. A number of factors were involved in any given decision by the Committee which could not all be explained whenever the Committee replied to a request. Furthermore, the Committee should not assume full responsibility for the problem; the Jordanian Government must also bear a share of responsibility for the manner in which its business and commercial sectors submitted their requests. His delegation did not believe that shifting the blame from the Government to the Committee would be of any help whatsoever. It would be desirable to explain to the Jordanian Government that the Committee was acting on the basis of its mandate and prior experience, and not on the basis of selective criteria.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bivero] MS[Venezuela] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Furthermore, whenever a request covering a specific category of goods was submitted, it would be helpful for the members of the Committee to have an idea of the quantity of goods being imported into Iraq over a given period of time, as well as the end-user of the products.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[His delegation, while not disagreeing with the need to educate the Jordanian public, believed that the Jordanian Government and business community were well aware of the Committee's working methods; it was precisely those methods which they criticized and wished to see expedited. He suggested that the representative of the Secretariat in Jordan should meet some members of the business community and should report their specific concerns to the Committee, which could then make use of them in endeavouring to streamline its work.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Raza] MS[Pakistan] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[The letter from the Permanent Representative of Jordan had raised two issues, namely, the delay in processing applications, and the more serious charge of inconsistency in the Committee's handling of requests. While the Committee could not change its working methods, it could ask the Jordanian authorities to provide a list of cases in which inconsistency had been perceived. The Committee should examine that information and, if the charges were found to be true, should review the manner in which it operated.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Was seriously concerned at the perception of inconsistency in the Committee's decision-making process, especially as the Committee had two ways of avoiding that problem. First, when the status list appeared, delegations had an opportunity to raise any issues of that nature; on occasion, positions had been adjusted following such discussions. Secondly, before signing letters of approval or rejection, he held discussions with the relevant missions with a view to determining the basis for the treatment of various products. The Committee frequently dealt with dual-use commodities; that increased the likelihood of errors. The Committee's discussion could be summarized as follows. First, there appeared to be unanimous sympathy for the problems with which the Jordanian Government was confronted and support for a response to those concerns.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Secondly, the Committee could not accept the Permanent Representative's suggestion that it should shift to a category-based approach, as that would be beyond its mandate. Thirdly, in view of the problems faced by the Government in dealing with the

Jordanian public, it had been agreed that the Committee should provide it with assistance in a manner that would not appear to be patronizing. In his contacts with the Permanent Representative of Jordan, he would not only offer explanations of the Committee's procedures, but would also express his willingness to meet any delegations from Jordan which might happen to visit New York or to make a statement to the Jordanian media, if that was deemed helpful. Fourthly, the Committee should not limit itself to public education, but should be prepared to examine any past or future cases in which there had been a perception of inconsistency.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[In most such cases, he would be able to explain the reason for the Committee's decision; however, if a genuine error was discovered, it would be reported to the Committee for review.

Fifthly, the Committee would study ways of enhancing its procedures and expediting its decision-making process.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Dorani] MS[Djibouti] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Suggested that the Committee should consider the proposal by the representative of the Russian Federation that the Secretariat should submit a solution acceptable to all.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Girre] MS[France] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[His delegation supported all the suggestions made by the Chairman, which would provide all parties in Jordan with a better understanding of the Committee's procedures, thus facilitating the submission and approval of requests from that country. With regard to the allegation of inconsistency, it should be possible for the Permanent Mission of Jordan to contact any mission which had blocked one of its requests, or placed it on hold, in order to obtain an explanation. As to the growing backlog in the Committee's consideration of requests, to which the representatives of Pakistan and the Russian Federation had referred, a way must be found to reduce such delays, which were related to the evolution of the Committee's working methods and the dissemination of information.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[Requested the representative of Djibouti to clarify whether the Committee was being asked to adopt the proposal by the representative of the Russian Federation in addition to or in lieu of what he had suggested.]



ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Gatilov] MS[Russia] FCT[Member] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[While he agreed with the Chairman's summary of the discussion, he had referred to a matter not mentioned in the letter from the Permanent Representative of Jordan, namely, the question of the Committee's internal procedures. The processing of applications was very important for the Committee; for that reason, he had proposed that the procedure for considering requests should be streamlined.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 1 December 1993 from the Permanent Representative of Jordan addressed to the Chairman (S/AC.25/1993/COMM.4025)]

TXT[There was a consensus in the Committee with regard to the need for new proposals for improving its working methods.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman (S/AC.25/1993/COMM.4018)]

TXT[Drew attention to a letter dated November 1993 from the Permanent Representative of Iraq to the United Nations (S/AC.25/1993/COMM.4018), referring to the Permanent Representative's earlier request that the Committee should authorize the import into Iraq of spare parts required by its electricity sector (S/AC.25/1993/COMM.3375). He recalled that the Committee had considered the Iraqi request at its 103rd meeting, held on 1 November 1993.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman (S/AC.25/1993/COMM.4018)]

TXT[The Committee had acknowledged the humanitarian considerations that might be relevant to the specific request; however, in keeping with normal practice, the Committee would be prepared to consider, on a case-by-case basis, specific requests for the supply of spare parts for the Iraqi electricity sector, provided that such requests were submitted by the country of export and that detailed information relating to the end-use and the end-user of the goods was provided. The Committee had also indicated that it was inclined to look favourably on applications supported and sponsored by a relevant United Nations agency, which would supervise the implementation of the electricity project in Iraq.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Ashiki] MS[Japan] FCT[Member] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman (S/AC.25/1993/COMM.4018)]

TXT[His delegation continued to consider favourably humanitarian requests, and stressed that the Iraqi authorities should contact companies in his country directly.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Shackleton] MS[United Kingdom] FCT[Member] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman (S/AC.25/1993/COMM.4018)]

TXT[British companies, too, when it was correct to do so, had considerable contact with the Iraqi authorities. The Committee could not direct Governments to tell companies to export certain goods to Iraq; it was up to those Governments, and specifically to the companies in question, to do business, within the bounds of their legislation, as they saw fit. His delegation proposed that a letter should be sent to the Iraqi authorities stating that the letter contained in document S/AC.25/1993/COMM.4018 had not caused the Committee to change its position.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman (S/AC.25/1993/COMM.4018)]

TXT[The request from Iraq (S/AC.25/1993/COMM.4018) once again referred to an area which had important humanitarian implications, namely electric power plants. The Iraqis were prepared to provide the Committee with information regarding the final users of the electricity and to allow a United Nations agency to supervise the delivery of the spare parts. Since Iraq had shown good will by providing guarantees in its letter, and keeping in mind the Committee's practice of considering such requests on a case-by-case basis, perhaps the Committee should give exceptional attention to the request.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman (S/AC.25/1993/COMM.4018)]

TXT[The representative of Morocco had raised a complex question regarding the monitoring of equipment which had "dual use", implying it was permissible if destined for the electricity sector but not otherwise. The best solution would be to have a United Nations agency in charge of such monitoring. Ultimately, it was the responsibility of the Iraqi Government to initiate discussions to that end with the appropriate United Nations body.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Rose] MS[United States] FCT[Member] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative

of Iraq to the United Nations addressed to the Chairman  
(S/AC.25/1993/COMM.4018)]

TXT[Shared the view of the representative of the United Kingdom that it was up to individual companies, regardless of their nationality, to do business with Iraq as they saw fit, in accordance with their national laws and the relevant Security Council resolutions. His delegation supported the proposal that a letter should be sent to the Iraqi authorities indicating the Committee's positive reaction to the suggestion that a United Nations agency should be involved in the monitoring of equipment deliveries.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated November 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Chairman  
(S/AC.25/1993/COMM.4018)]

TXT[In the case of certain commodities which appeared to be prohibited, many companies might be disinclined to invest the time and effort necessary to investigate business opportunities. A letter indicating the Committee's willingness to review such requests sympathetically on a case-by-case basis would be drafted and circulated to the Committee under the "no-objection" procedure.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]

TXT[Drew attention to a letter from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General requesting his good offices in enabling Iraq to obtain \$15 million from its frozen assets abroad to cover part of the expenses relating to the removal of irradiated nuclear fuel from Iraq. Since receiving the letter on 8 December 1993, the Secretariat had learned from the Special Commission (UNSCOM) that the International Atomic Energy Agency (IAEA) operation for the removal of irradiated nuclear fuel from Iraq was more than half way completed.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Rose] MS[United States] FCT[Member] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]

TXT[His delegation would not approve any such release of funds. Furthermore, the letter was unnecessary since the irradiated material was in the process of being removed. Perhaps the matter could be referred to IAEA and UNSCOM and the Committee could leave it to the jurisdiction of those two bodies to resolve the issue.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Shackleton] MS[United Kingdom] FCT[Member] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of

Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Supported the position of Mr. Rose of the United States.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Girre] MS[France] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Supported the position of Mr. Rose of the United States.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Cardoso] MS[Brazil] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Supported the position of Mr. Rose of the United States.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]  
SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Since the letter was dated 23 July 1993 and other technical  
events had occurred in the meantime, he would seek the comments of  
IAEA and UNSCOM and report back to the Committee.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]  
SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Drew attention to a request from Iraq to use frozen funds to  
purchase a drug used in the treatment of cancer  
(S/AC.25/1993/COMM.4039).]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Rose] MS[United States] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[While in principle his delegation supported the use of the  
sub-account for such purposes, it shared the concern of the  
Secretariat that one impediment to the use of the sub-account was  
the lack of an agreement with Iraqi authorities on the way in which  
it operated. Specifically, a monitoring system was needed to ensure  
equitable distribution. In some respects, the operation of the  
sub-account was similar to the operation of the account envisaged  
in Security Council resolutions 706 (1991) and 712 (1991). Thus  
far, the Iraqi authorities had rejected the implementation of those  
resolutions. His delegation was open to any suggestion that might  
expedite the process, but it continued to maintain the hold on the  
items referred to in S/AC.25/1993/COMM.4039, COMM. 2737 and

COMM.3410.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Girre] MS[France] FCT[Member] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

(S/AC.25/1993/COMM.4031)]

TXT[Supported the statement of the representative of the United States of America and said that Security Council resolutions 706 (1991), 712 (1991) and 778 (1992) should be considered together as they sought to enable the financing of the delivery of humanitarian goods to Iraq. His delegation welcomed any effort to establish the effective operation of the sub-account and ensure that the Iraqi side agreed to measures of monitoring and supervision in compliance with paragraph 1 (c) of Security Council resolution 706 (1991).]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

(S/AC.25/1993/COMM.4031)]

TXT[Recalled that medicines were always regarded as urgent humanitarian supplies. It could take up to a year to resolve the issue of the use of the sub-account. In the meantime, the situation in Iraq could become so severe that the final release of funds would be in vain. Since the situation was exceptional, an exceptional solution should be found, and States which were blocking the release of funds should be urged to reconsider their position.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Cardoso] MS[Brazil] FCT[Member] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

(S/AC.25/1993/COMM.4031)]

TXT[Document S/AC.25/1993/COMM.4039 referred to a clear case of humanitarian need.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Shackleton] MS[United Kingdom] FCT[Member] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

(S/AC.25/1993/COMM.4031)]

TXT[Agreed with the representatives of Morocco and Brazil that medical supplies were essential and appeared to be urgently needed in Iraq. However, paragraph 11 of Security Council resolution 778 (1992) stated that no further Iraqi assets would be released for such purposes except to the sub-account of the escrow account. A mechanism, based on an agreement reached between the Secretariat and the Iraqis, was needed to establish the method of disbursement of funds from the sub-account.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Dorani] MS[Djibouti] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Supported the representative of Morocco and urged other members  
of the Committee to review their decision regarding the request  
under consideration.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Rose] MS[United States] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[His Government had placed more than \$100 million in similar  
funds and would be willing again to place more than half of the  
funds in the sub-account under consideration, provided that a  
proper mechanism for the disbursement of funds was set up and  
monitored to ensure that all of the people in Iraq received the  
benefits of such funds.]

ISSUE[IRAQ/KUWAIT]  
ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Girre] MS[France] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[The Iraqi authorities having twice requested that the  
sub-account of the escrow account should be used to finance the  
export of humanitarian goods to the country, the Committee should  
make the necessary effort to ensure the proper operation of that  
sub-account.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Once again reminded the Committee that the state of health in  
Iraq was critical and that innocent women, children and elderly  
people could not wait for the care they needed. He hoped that the  
Committee would keep that in mind when considering the request  
under consideration.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]  
SPKR[Raza] MS[Pakistan] FCT[Member] LANG[1]  
ITEM[Letter dated 23 July 1993 from the Permanent Representative of  
Iraq to the United Nations addressed to the Secretary-General  
(S/AC.25/1993/COMM.4031)]  
TXT[Agreed with the representative of Morocco that it was necessary  
to make a distinction between general humanitarian goods and  
life-saving goods, such as medicine for the treatment of cancer,  
for which he proposed the Committee make an exception.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Letter dated 23 July 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (S/AC.25/1993/COMM.4031)]

TXT[The escrow account had been set up for just such purposes, and the modalities for disbursements from that account should be considered as a matter of urgency. He would establish a working group on the practical issues involved that would enter into dialogue with the Iraqi Government.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[Drew attention to the status list covering communications dealt with by the Committee from 16 November to 15 December 1993.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[Had reviewed the status list in detail and was left with a number of questions concerning the communications placed on hold or objected to by some members of the Committee. For instance, the cotton fabric for coffins mentioned in S/AC.25/1993/COMM.2629 was clearly for humanitarian purposes. Electric irons, as mentioned in S/AC.25/1993/COMM.2644, were household equipment in common use. Since documents S/AC.25/1993/COMM.2674, COMM.2754 and COMM.2795 dealt with agricultural equipment that would be used in the production of food, which was not covered under the sanctions regime, he did not understand why holds had been placed on those items and hoped they would soon be removed.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[Was pleased to note, however, that the hold on S/AC.25/1993/COMM.2685 had been removed.

Although the objections to the import of spare parts for private vehicles were understandable, the reasons for the holds placed on S/AC.25/1993/COMM.2703 and COMM.2707, concerning tyres for tractors, were less clear. Similarly, S/AC.25/1993/COMM.2731 and COMM.2732 concerned tyres for buses and for road construction machinery, for use in maintaining mass transport, ordinarily used by the poorest segments of Iraqi society. Furthermore, for mass transport to function, roads must be maintained. In his view, mass transport was an essential need. He regretted that some delegations had objected to S/AC.25/1993/COMM.2710 and COMM.2768 concerning the import of glue for industrial use and for use in school textbooks.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[He was pleased that the request for electrical generators and spare parts contained in S/AC.25/1993/COMM.2736 had been approved, as it would help to meet the concerns raised earlier regarding the Iraqi electrical power industry. However, he regretted that objections had been made to S/AC.25/1993/COMM.2857 and COMM.2900, also dealing with electric power and equipment. It was his hope that the hold placed on the request for raw materials for medicine contained in S/AC.25/1993/COMM.2762 would be lifted. Similarly, the fabric for use in hospitals requested in S/AC.25/1993/COMM.2800 was clearly for humanitarian use. Turning to S/AC.25/1993/COMM.2805, COMM.2806 and COMM.2807, he could see no potentially negative use for the various types of soap requested, and urged that some degree of flexibility should be shown. The fabric for hospital use and for nuns' habits requested in S/AC.25/1993/COMM.2811 also had a uniquely humanitarian purpose.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Bellouki] MS[Morocco] FCT[Member] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[The spare parts for refrigerators referred to in S/AC.25/1993/COMM.2818 were for use in a clinic setting and should be considered essential. He hoped that the holds placed on S/AC.25/1993/COMM.2815, COMM.2816 and COMM.2817 would be lifted, as the materials in question would be used for humanitarian purposes. Requests for refrigeration equipment and spare parts similar to those contained in S/AC.25/1993/COMM.2858 and COMM.2859 had been accepted previously; therefore, he did not understand the reason for the objections. It was his hope that, after review, the holds placed on S/AC.25/1993/COMM.2878, COMM.2879, COMM.2882, COMM.2883 and COMM.2884 would be lifted.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Rose] MS[United States] FCT[Member] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[In the light of the comments of the representative of Morocco, his delegation would review its decision with regard to S/AC.25/1993/COMM.2629. His delegation considered each request individually, and where it would be unable to defend a request to its authorities felt obliged to object.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Shackleton] MS[United Kingdom] FCT[Member] LANG[1]

ITEM[Communications under the no-objection procedure]

TXT[With regard to S/AC.25/1993/COMM.2814, concerning spare parts for refrigerators, it had agreed to such requests in the past but had objected to that specific request because the quantities involved indicated that the spare parts were not destined for repair but for the refrigeration industry. With regard to the several requests concerning electrical goods, his delegation had placed a hold on those requests because it had not yet received sufficient information to take a decision. If it was satisfied with the specifics, it would be able to remove the holds. His delegation's practice was to place requests on hold in order to gain further information and to maintain consistency in its decisions.]



ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Other matters]

TXT[Drew attention to a letter from Australia just received by the Secretariat concerning a shipment of wheat to Iraq, which was being circulated to members. Although there was no difficulty with the shipment of wheat itself, the Australian vessel, after unloading its cargo, was to take on fuel free of charge in partial payment for the shipment. That request raised a complex issue that would require some consideration by the Committee.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Shackleton] MS[United Kingdom] FCT[Member] LANG[1]

ITEM[Other matters]

TXT[His delegation would not be in a position to comment until it had consulted its authorities.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Intervention]

SPKR[Rose] MS[United States] FCT[Member] LANG[1]

ITEM[Other matters]

TXT[Although the free fuel raised a difficult issue, it would be desirable to find a formula whereby the shipment of wheat could proceed, because of its essential humanitarian nature.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[105] DATE[12/22/93] TYPE[Procedure]

SPKR[Keating] MS[New Zealand] FCT[Chairman] LANG[1]

ITEM[Other matters]

TXT[The Permanent Mission of Australia had informed him that, if the Committee was unable to give clearance regarding the fuel, it would proceed with the shipment of wheat but would refuse the free fuel oil. The theoretical issue raised by the request would be addressed by the Committee at a later meeting.]