

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Agenda]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Adoption of the agenda]

TXT[Adoption of the agenda

Review of the implementation of Security Council resolution 661 (1990)

Consultations under Article 50 of the Charter

Implementation of Security Council resolution 670 (1990)

Foodstuffs and delivery of foodstuffs: Security Council resolutions 661 (1990), paragraph 3 (c), and 666 (1990)

Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61;

S/AC.25/1990/NOTE/31 and 33)

The agenda was adopted.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Since the Committee's previous meeting, additional replies to the Secretary-General's note verbale of 8 August 1990 and his reminder of 27 August 1990 had been received from: Botswana (S/21872), Pakistan (S/21875), San Marino (S/21878), Tunisia (S/21880) and Seychelles (S/21891). Replies to the questionnaire had been received from: the United Kingdom (S/AC.25/1990/1), Belgium (S/AC.25/1990/2) and Argentina (S/AC.25/1990/3). A response from Tunisia had been received but not circulated, as a result of technical difficulties with the text. She proposed that the Committee should request the Secretary-General to send a reminder to those States which had not yet replied. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Observed that Member States should endeavour as far as possible to abide by the format of the questionnaire, in order to facilitate the processing of replies by the Secretariat.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Drew the Committee's attention to document S/AC.25/1990/COMM.65, containing the text of a letter dated 24 October 1990 from the Permanent Representative of Jordan. In that letter, the Jordanian Government indicated its willingness to receive any United Nations official designated by the Committee to visit the Jordan-Iraq border at Ruweished, with a view to ascertaining the solid facts and realities of Jordan's firm compliance with resolution 661 (1990).]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[There was another dimension to the problem raised by the Government of Jordan. As all were aware, Jordan was the first State to have requested assistance under Article 50 of the Charter, and its difficulties would constitute a major priority at an important meeting of donors due to take place in Rome on 5 November. It was his delegation's inclination to accede to Jordan's request, not because of any doubt on its part as to that country's commitment to uphold the sanctions but in order to provide clear evidence to the international community of that commitment. With regard to actual participation, his delegation would prefer that any official designated by the Committee be drawn from United Nations agencies in the region, rather than dispatching a mission from New York.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Goshu] MS[Ethiopia] FCT[Member] LANG[1]

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Any response to the Jordanian request should be considered cautiously and seriously. If the Committee was to grant the request, it would constitute a major departure from its practice so far of always accepting the statements of Governments at face value, and might entail the acceptance of further similar requests in the future.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Welcomed the Government of Jordan's initiative in trying to set the record straight. His delegation believed that it might be useful to ask United Nations officials stationed in the field to examine, in consultation with the Government of Jordan, what sort of approach might be taken to monitor any cross-border traffic over a period of time. The representative of Ethiopia had raised a very valid point. Nevertheless, his delegation was inclined to respond favourably to the Jordanian request and felt that the case should be examined on its merits.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Shared the concern expressed by the representative of Ethiopia. It would be wrong for the Committee to place officials on the borders of every State neighbouring Iraq and Kuwait in order to monitor compliance with Security Council resolutions. In the case

under discussion, however, it was the Government of Jordan which had requested the designation of an official to verify whether rumours concerning non-compliance were or were not justified, on the basis of its belief that impartial United Nations observation was preferable to misleading reports in the press. In those circumstances, his delegation was quite prepared to look favourably on Jordan's request but felt that the Secretariat should first provide an opinion as to how the request might be most economically and realistically met.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Moreno Fernández] MS[Cuba] FCT[Member] LANG[1]

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[His delegation would have no difficulty in accepting Jordan's request. The entirely understandable concern expressed by the representative of Ethiopia might perhaps be addressed in the context of the Chairman's letter of reply to the Permanent Representative of Jordan. In particular, that letter should indicate that the Committee had no doubt of Jordan's sincere adherence to its commitments under resolution 661 (1990), note that approval of the request would not set any precedent for the future and make it clear that there was no intention to establish a long-term mechanism to monitor Jordan's frontier with Iraq. What the Jordanian Government had requested was simply a visit.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Alsaïdi] MS[Yemen] FCT[Member] LANG[1]

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Noted that Jordan was undergoing severe difficulties as a result of its adherence to the embargo. The request concerned certain humanitarian supplies not covered by the embargo, such as medicines. His delegation believed that the Committee should approve the request because such humanitarian supplies would in no way contribute to Iraq's military effort.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[Agreed with most of the suggestions made by the representative of Cuba concerning the circulation of a draft reply for consideration by the Committee. While agreeing in principle that a visit rather than a mechanism was required, he noted the need, from the Jordanian Government's point of view, for a clear, impartial report on its compliance with Security Council resolutions. That compliance, and the fact that Jordan had suffered more than any other country from the events of the past two months, should be made very clear to all during crucial meetings to be held in the near future.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Review of the implementation of Security Council resolution 661 (1990) (S/21872, S/21875, S/21878, S/21880 and S/21891; S/AC.25/1990/1, 2 and 3; S/AC.25/1990/COMM.65)]

TXT[There appeared to be a broad understanding among members of the Committee on the subject of Jordan's request. She intended to circulate a draft reply shortly and meanwhile understood it to be the wish of the Committee that she should approach the Secretariat concerning the most appropriate way of meeting the request. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Consultations under Article 50 of the Charter (S/21891)]

TXT[Drew the Committee's attention to document S/21891, containing the text of a letter dated 19 October 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Seychelles. She also noted that the Working Group established to advise the Committee in connection with requests under Article 50 of the Charter had begun its work.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Piatelli] MS[Canada] FCT[Member] LANG[1]

ITEM[Consultations under Article 50 of the Charter (S/21891)]

TXT[Speaking on behalf of the Vice-Chairman of the Committee and Chairman of the Working Group, said that action had been taken on the various proposals and requests which had been the subject of decisions at the first meeting of the Working Group. A general paper outlining the effects on countries of sanctions implementation had been prepared by the Secretariat and reviewed by the Chairman and was currently being translated for distribution before the Working Group's next meeting. The Chairman had also drawn up a brief paper containing elements which might be applicable to all cases, for distribution prior to that meeting. The Secretariat was currently preparing a chart, as suggested by the representative of Malaysia, which should be translated and distributed by the end of the week.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Piatelli] MS[Canada] FCT[Member] LANG[1]

ITEM[Consultations under Article 50 of the Charter (S/21891)]

TXT[The Chairman had written to the President of the World Bank to request information on the general economic situation arising from the Gulf crisis, and particularly on the impact of the application of resolution 661 (1990). He had also written to all individual applicants in order to arrange meetings with them and had held bilateral meetings with 6 of the 18 applicants. It was expected that the next meeting of the Working Group would be convened early in the week beginning 5 November.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Drew the Committee's attention to documents S/21894, S/21839,
S/21862 and S/21895, containing communications from the
International Civil Aviation Organization regarding the
implementation of resolution 670 (1990). If she heard no objection,
she would take it that the Committee decided to take note of those
communications. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Drew the Committee's attention to document
S/AC.25/1990/COMM.44, containing the text of a letter dated 10
October 1990 from the Permanent Representative of Turkey concerning
the practical difficulties faced by his country with regard to
flights to and from Iraq.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Aksin] MS[Turkey] FCT[Invitee] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Under current arrangements, all aircraft bound to or from Iraq
or Kuwait which overflew Turkey were required to land for
inspection. Since that procedure was cumbersome and expensive, his
country was trying to find ways of alleviating the problem without
in any way impairing the implementation of resolution 670 (1990).
Accordingly, it had decided that any flight authorized by the
Committee should not be required to land. In cases where the
Committee had not had time to authorize a flight, his country had
sought written confirmation of its inspection by United Nations
personnel at the airport from which it originated.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Aksin] MS[Turkey] FCT[Invitee] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Where no United Nations officials were able to carry out such
an inspection, his country had requested an inspection by personnel
from the Embassies of at least two of the countries represented on
the Committee, together with personnel from the Turkish Embassy.
Ideally, the Committee might perhaps agree that the main
responsibility for monitoring compliance of flights with resolution
670 (1990) should lie with the countries from which such flights
originated. In connection with resolution 661 (1990), it was his
Government's understanding that all medicines and medical supplies
which were ready for use could be imported into Iraq and Kuwait but
that raw materials such as chemicals and intermediary products were
prohibited under the terms of the embargo.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Wilkinson] MS[United States] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)]

(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Expressed particular appreciation of Turkey's strong support for United Nations sanctions. With regard to the distinction between raw materials and medical supplies which were ready for use, his main concern was the extent to which the Turkish authorities could in their inspections be sure that no such supplies were susceptible of dual use.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Aksin] MS[Turkey] FCT[Invitee] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[His Government was unable to guarantee that a specific product was or was not open to dual use. As far as it was concerned, raw materials were to be intercepted, while the delivery of ordinary medicines and medical supplies would be permitted.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Richardson] MS[United Kingdom] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[His delegation fully recognized Turkey's involvement in a difficult aspect of the implementation of resolution 670 (1990). In the case of evacuation flights, which were usually arranged at very short notice and required rapid decisions, it was appropriate to seek the authority of the Committee under paragraph 4 (b) of the resolution. However, if several days' notice of a flight were provided to the authorities on its route, it should be possible to apply the procedure provided for under paragraph 4 (a). The best response to Turkey's concerns might be to urge a flexible approach.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Kalkku] MS[Finland] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Thanked the representative of Turkey for illustrating the practical problems encountered by his country in implementing Security Council resolution 670 (1990). With regard to the procedure under paragraph 4 (a), she noted that all States were required to deny aircraft permission to overfly their territory unless they agreed to land at a designated air field for inspection. The Turkish authorities were therefore not solely responsible for such inspection and she wondered whether Turkey had approached other countries whose territory was overflown with a view to sharing the burden of inspecting flights.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Aksin] MS[Turkey] FCT[Invitee] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[There had been cases of aircraft forced to land in Turkey and others which had been let through. For example, a light aircraft carrying a diplomatic representative but obviously no cargo had not

been asked to land. On the other hand, there was the case of a flight originating in an Eastern European country which had been stated to carry several kilos of cargo for a group in Iraq. Other Eastern European countries overflown by the aircraft, however, had been told that it carried no cargo. In view of the conflicting information received, that aircraft had been asked to land. The most practical course would be for the country in which a flight originated to assume the major responsibility for compliance with the resolution.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Aksin] MS[Turkey] FCT[Invitee] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[If the Turkish authorities were not satisfied, they would of course reserve the right to request the aircraft to land. His Government felt that there should be a procedure whereby the authorities in the originating country would take all the necessary measures and would so inform all the countries that would be overflown so that the aircraft would not have to land repeatedly before it reached Iraq.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[The country in which a flight originated should be expected to communicate with the Committee in order to obtain its approval and to spell out the steps taken to meet the requirements of the resolution. The only exception to that rule should be when time was so short as to require alternative means.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[Recalled that the Committee had agreed to authorize certain flights from India to Iraq which would overfly a number of countries. The Committee had decided then that provided that a certain procedure was followed in India confirming that there were no materials on board that violated the provisions on sanctions, the Committee could agree that the aircraft could overfly those countries and would also notify the countries to be overflown that there was no violation of the sanctions provisions. He wondered whether there were any special features in the Turkish situation that required the Committee to consider the question in another light.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990) (S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[In several instances of evacuation flights, the Committee had been able to authorize flights that proceeded directly to their

destination. The members of the Committee were aware of the problems that the terms of resolution 670 (1990) posed to the Turkish authorities, largely because of Turkey's geographical position. The suggestion by the representative of Finland regarding co-operation between the Turkish authorities and the authorities of other countries whose airspace was used could facilitate Turkey's task. She noted that the Committee was not in a position to make any changes in the provisions of the resolution, which must be fully implemented even though it might cause problems to some Member States.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Fleischhauer] MS[OLA] FCT[Secretariat] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[If the Committee so wished, he and his colleagues were ready to take a closer look at the questions submitted by Turkey and give their views in writing.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Thanked the representative of Turkey for the information he had provided and said that the Committee would revert to the question at a later date.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[It would be appropriate, if the Committee so agreed, to issue a reminder to those States which had been requested by the Committee to report on flights for which permission had been granted. As yet, none of them had done so.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Botero] MS[Colombia] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Asked whether the reply to the questions raised by Turkey would be available at the Committee's next meeting.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Would ask the Legal Counsel to prepare the information requested, which would be circulated.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Wilkinson] MS[United States] FCT[Member] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Thought that the Turkish request should be circulated in
writing to the members of the Committee first, so that it would be
clear what aspects of the problems raised by Turkey the Legal
Counsel was addressing.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[The communication from Turkey (S/AC.25/1990/COMM.44), in which
the request for information was clearly stated, had been before the
Committee for a considerable time.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Wilkinson] MS[United States] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[If the basis of the request for information from the Legal
Counsel was the Turkish communication, he had no objection to the
suggested procedure.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Kamal] MS[Malaysia] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Asked whether evacuation flights from Iraq, for example to
France or the United Kingdom, had been required to land in the
countries overflown or whether they had gone directly to their
destination.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[In cases where the Committee had authorized certain flights,
those flights had not been forced to land but had been able to fly
non-stop to their destination. That had been the case with certain
requests received from the United Kingdom and France. Authorization
had also been given for a series of flights requested by India and
Sri Lanka.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Richardson] MS[United Kingdom] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[His Government's request, like that of a number of other
States, including France, India and Sri Lanka, had been made under
paragraph 4 (b) of the resolution. Notification had been given
under paragraph 6 for a flight out of Baghdad and the associated
requirements for flights going into Baghdad or Kuwait had also been
complied with. If a legal opinion was to be sought in response to

the Turkish request, it was important that the Committee should have a clear idea of the purpose. The Turkish request seemed to fall into two parts. First, there was the question of authorization under paragraph 4 (b), whereby authorization was normally to be sought by the country of origin. He pointed out that that might lead to difficulties if the country of origin was in fact Iraq, as it might be in the case of evacuation flights.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Richardson] MS[United Kingdom] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Second, the Turkish representative had suggested that if there was no time for the Committee to reach a decision under paragraph 4 (b), matters might be expedited by direct contact between the Turkish authorities and the originating State. That, however, was not specifically provided for in paragraph 4 (b). There were thus a number of sub-sets to the general question, which might be difficult to answer in a single legal opinion.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Repeated that the Committee had no authorization to make exceptions to the provisions of resolution 670 (1990). That would be made clear to the representative of Turkey in order to clear up any misunderstanding about the provisions of the resolution.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Kamal] MS[Malaysia] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Asked how the Committee had decided which provisions of paragraph 4 to invoke.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Moreno Fernández] MS[Cuba] FCT[Member] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[Recalled that the Legal Counsel had presented the Committee with a draft letter to be sent in response to questions formulated by the International Organization for Migration, in which the points at issue were clearly explained. He suggested that the letter might be circulated again to the Committee and perhaps used to clarify the points raised by the representative of Turkey.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]
TXT[The letter to the International Organization for Migration answered all the points raised. A note based on that letter could

be sent to the representative of Turkey in order to address his concerns. She believed that it would be useful for the Committee to study the letter again, as the representative of Cuba suggested.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Kalkku] MS[Finland] FCT[Member] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[It was clear that, in practice, the Committee could not handle all possible flights to Iraq or Kuwait under paragraph 4 (b). A certain part of those flights would thus be covered by paragraph 4 (a). Regarding the procedure to be followed in that case, the Government of Turkey apparently wished to see the main responsibility for co-ordination lie with the country of origin. Her delegation agreed that that was desirable, but believed that the Committee could point out in its response that it was not necessary for the task of checking flights heading to Iraq and Kuwait to be left to the Turkish authorities. Any other country overflown could do so. Under operative paragraph 7 of the resolution, all States were required to co-operate with each other in that respect. She suggested, therefore, that that should be taken into account in answering the Turkish communication.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Fleischhauer] MS[OLA] FCT[Secretariat] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[The basis of the legal opinion that had been requested would be the letter of the Permanent Representative of Turkey of 8 October 1990 (S/AC.25/1990/COMM.44). As to whether the opinion would be available by the time of the Committee's next meeting, he would prefer presentation to be "as soon as possible".]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Implementation of Security Council resolution 670 (1990)
(S/21894, S/21839, S/21862 and S/21895; S/AC.25/1990/COMM.44)]

TXT[It would be the Committee's understanding that the opinion would be available "as soon as possible."]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Foodstuffs and delivery of foodstuffs: Security Council resolutions 661 (1990), PARAGRAPH 3 (c), AND 666 (1990)
(S/AC.25/1990/COMM.60)]

TXT[The Committee had before it document S/AC.25/1990/COMM.60, containing the text of a letter dated 24 October 1990 from the Permanent Representative of Jordan to the United Nations addressed to the Chairman, in which the Government of Jordan requested permission for a shipment to Iraq of food and medicine donated by the Jordanian people to the children of Iraq, to be made by the General Union of Voluntary Societies in Jordan. She suggested that members of the Committee might wish to reflect on that request until the next meeting. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Kamal] MS[Malaysia] FCT[Member] LANG[1]

ITEM[Foodstuffs and delivery of foodstuffs: Security Council resolutions 661 (1990), PARAGRAPH 3 (c), AND 666 (1990) (S/AC.25/1990/COMM.60)]

TXT[Asked whether the Committee had heard anything from the representative of India about the ship that was due to sail from Iraq shortly, and from the representatives of Sri Lanka and Yugoslavia about the condition of their nationals in Iraq in terms of foodstuffs.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Foodstuffs and delivery of foodstuffs: Security Council resolutions 661 (1990), PARAGRAPH 3 (c), AND 666 (1990) (S/AC.25/1990/COMM.60)]

TXT[The Permanent Representative of India had confirmed that a number of countries had been in touch with the Indian authorities about sharing foodstuffs with those who requested them and that no problems had been reported. It was her understanding that the situation had been alleviated by the Indian authorities' generous offer.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[The Committee had before it document S/AC.25/1990/COMM.50, containing the text of a letter dated 15 October 1990 from the Permanent Representatives of the Comoros, Mauritius, Zambia and Zimbabwe to the United Nations and the Deputy Permanent Representative of Seychelles to the United Nations, addressed to the Chairman. The Committee also had before it document S/AC.25/1990/NOTE/33 containing the text of a letter dated 23 October 1990 from the Chairman addressed to the Permanent Representative of Kuwait to the United Nations, requesting information on the date of the actual exportation from Kuwait of the oil products mentioned in the letter from the five African States.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[The reply from the Permanent Representative of Kuwait to the United Nations was before the Committee in document S/AC.25/1990/COMM.61. If there was no objection, she would invite the representatives of Kuwait and Mauritius to address the meeting. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[The communications before the Committee also concerned Yemen. While he had not opposed the requests for a hearing, he would have a number of questions to put in that connection.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Abulhasan] MS[Kuwait] FCT[Invitee] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[The Committee's letter of 23 October (S/AC.25/1990/NOTE/33) had requested information on two specific points: first, the date of the actual exportation from Kuwait of the oil products destined for the five African States, and second, an assurance that any payment for delivery would be made to the legitimate Government of Kuwait or to agents under its control. In his own letter of 25 October 1990 (S/AC.25/1990/COMM.61), he had confirmed that the export of the materials under contract had taken place before 2 August 1990 and that the Government had been assured that payment would be made to it or to agents under its control. Both those letters had been brought to the attention of the Committee.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Abulhasan] MS[Kuwait] FCT[Invitee] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[His Government was keenly aware of the serious effects of the non-release of those products on the economies of the States concerned, with which Kuwait had contractual or arrangements. It was estimated that the amount of petroleum products involved was about 200,000 tons. His Government's earnest wish was that those products should be released for delivery as soon as possible. It had therefore decided to appeal to the Committee in order to impress it with the urgency of the matter and to ensure that, if possible, an immediate decision was taken so that Kuwait's agents could proceed with the arrangements for delivery.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Peerthum] MS[Mauritius] FCT[Invitee] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Speaking on behalf of his own country and of the Comoros, Seychelles, Zambia and Zimbabwe, said he wished to inform the Committee that the Kuwait Petroleum Corporation had confirmed in writing that 120,000 tons of petroleum products were in storage in Aden. The Corporation had informed his country's Minister for Foreign Affairs, during his recent visit to London, that it was willing to supply those products in accordance with the terms of the contract, which had been drawn up before the Gulf crisis erupted and before the adoption of Security Council resolution 661 (1990). Payment would be made directly to the legitimate authorities of Kuwait.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Peerthum] MS[Mauritius] FCT[Invitee] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Pointed out that the countries concerned faced severe
economic difficulties as a result of the sanctions imposed. The
economy of Mauritius, in particular, was dependent on textile
exports and tourism, which had been adversely affected by the rise
in petrol prices due to the crisis. If the petroleum products from
the Kuwait Petroleum Corporation were not made available at the
pre-crisis price, Mauritius was likely to price itself out of the
international market.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Noted from the letter of 25 October 1990 from the Permanent
Representative of Kuwait to the Chairman of the Committee
(S/AC.25/1990/COMM.61) that there was a stock of 120,000 tons of
petroleum products in Aden intended for delivery to the contracting
parties. However, the annexes to the letter of 15 October from the
five delegations submitting the request (S/AC.25/1990/COMM.50)
included two contracts, with Seychelles and Zambia respectively,
which did not mention Aden. He wished to know whether the 120,000
tons of petroleum products referred to by the Permanent
Representative of Kuwait in his letter of 25 October as being
stored in Aden were the same as those referred to in the contracts
annexed.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Also wondered how it was proposed to distribute the further
80,000 tons which according to the letter were in store for
processing in the Aden refinery. Lastly, he asked whether there
were any official documents attesting to the actual existence in
Aden of the quantities of petroleum products referred to. He would
also like the representative of Mauritius to explain the way in
which he had been informed of the Government of Yemen's intention
to implement the Security Council sanctions.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Al-Mulla] MS[Kuwait] FCT[Invitee] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Kuwait and Yemen had an agreement, which had been in effect for
the previous 15 years, for the export of crude oil by the
Government of Kuwait from Al-Ahmadi to Aden for refining and
subsequent shipment elsewhere. Her information was that the current
stocks of petroleum products and crude petroleum for refining under
the agreement amounted to 200,000 tons. The main purpose of the
agreement was to assist the Yemeni economy during a difficult
period. She pointed out that only crude oil was shipped from the
port of Al-Ahmadi.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Peerthum] MS[Mauritius] FCT[Invitee] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[In view of the seriousness of the Gulf crisis, it would be better to avoid an academic discussion of the actual amounts of oil involved. The purpose of the meeting was to take a decision which would enable the Kuwait Petroleum Corporation to honour its contractual obligations to the five countries concerned, which had applied for a waiver of the sanctions. With regard to the question of how his Government had been informed of the position of the Yemeni Government, he said that the Mauritian Minister for Foreign Affairs had indeed met with the representative of Yemen at Headquarters, and that it was to be assumed that the latter was acting in an official and not an individual capacity. He himself had had a conversation with the representative of Yemen which had confirmed his Foreign Minister's impressions of the Yemeni Government's position.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Peerthum] MS[Mauritius] FCT[Invitee] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[In addition, there had been a letter from the Kuwait Petroleum Corporation indicating that it had a stock of petroleum products in Aden which it was willing to make available, under the terms of contracts entered into prior to the Gulf crisis, to the five countries which had applied to the Committee for a waiver of the sanctions, and there was no reason to impugn its good faith in the matter. In his delegation's view, such a waiver would not violate the spirit of Security Council resolution 661 (1990).]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[His delegation was satisfied that the contract for the sale of the petroleum products to the five countries concerned antedated the application of the Security Council resolution, and that payment would be made to the Kuwait Petroleum Corporation as a body under the control of the legitimate Kuwaiti authorities. It was confident that release of the stocks would not contravene the resolution.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[The only two issues before the Committee were, firstly to determine whether the contract antedated the invasion and annexation of Kuwait, and secondly, whether the oil was in fact the property of the Kuwait Petroleum Corporation. On both counts the requisite assurances had been provided by the representative of

Kuwait.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Sery] MS[Côte d'Ivoire] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Agreed with the two previous speakers, Mr. Wilkinson of the United States and Mr. Richardson of the United Kingdom.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Goshu] MS[Ethiopia] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Agreed with the two previous speakers, Mr. Wilkinson of the United States and Mr. Richardson of the United Kingdom.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Was not challenging any of the statements made in the Committee nor the existence of a lawful contractual agreement, and fully appreciated the plight of the five African countries concerned, but, since the agreement made no mention of the quantity of petroleum products stored in Aden, it remained to be ascertained whether such a quantity actually existed. He would forward the relevant documents, including the request from Mauritius and the other four countries, to his authorities for confirmation of the existence of the amount specified and would subsequently convey their reply to the Chairman of the Committee.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Suggested that, as on previous similar occasions, Committee members should first address questions to its guests and then deliberate and take a decision in the matter.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Moreno Fernández] MS[Cuba] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[There were two aspects of the matter to be considered. The first was the request from the five countries concerned (S/AC.25/1990/COMM.50) for the Committee's confirmation of their understanding that the petroleum products were not subject to the sanctions régime under Security Council resolution 661 (1990). In his view, their understanding was correct and, if the stock referred to existed, it should be delivered in accordance with the contracts. The second question was whether the stock actually existed, to which the representative of Yemen had provided a solution by offering to communicate with his Government, providing

it with the relevant documentation, including the letter dated 15 October 1990 from the five countries concerned, and to report back to the Committee.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Moreno Fernández] MS[Cuba] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Therefore proposed that the Committee should decide on the theoretical aspect, namely that the shipment of the products to the five countries was lawful, but defer a final decision until a definitive answer had been received from Yemen.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Kibidi Ngovuka] MS[Zaire] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Agreed that the question of the existence of the oil products in Yemen called for further investigation.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Sery] MS[Côte d'Ivoire] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[While he agreed with the comments made by the representative of Cuba, there remained some misunderstanding about the basis for the information to be obtained about the existence of the oil products in Aden. Such information should not be based on the request from Mauritius and the other four countries concerned, who were the beneficiaries of the contracts, but on data provided by the Kuwait Petroleum Corporation. Another point requiring clarification was that there might be a quantity of oil products belonging to the Kuwait Petroleum Corporation in Yemen, but possibly not the exact quantity for which the contracts had been signed. Kuwait might be requested to specify the quantity, if any, of oil products in Yemen that were not covered by the contracts.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[It was her understanding that the availability and amount of petroleum products in question concerned the contracting parties, and that the Committee's responsibility was to decide whether the release of the shipment did not contravene resolution 661 (1990). She invited comments from the representatives of Kuwait and Mauritius.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Mulla] MS[Kuwait] FCT[Invitee] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Kuwait was anxious to fulfil its contractual obligations, and

had expected the Committee's deliberations to focus on the question of the applicability of sanctions to the release or non-release of the petroleum products in question. Regarding the question of the availability and quantity of products, which she believed to be a side issue, she was able to provide the Committee with information from the Kuwait Petroleum Corporation which might be of assistance to the Committee and might help the representative of Yemen in retrieving information from his own Government. The official document, from which she quoted, reported on the latest two deliveries of crude oil from Kuwait for processing at the Aden refinery.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Mulla] MS[Kuwait] FCT[Invitee] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[The first consignment, with a bill of lading dated 13 July 1990, concerned a quantity of 85,000 tons discharged at Aden on 13 July 1990. The second, with a bill of lading dated 30 July 1990, concerned a quantity of 85,389 tons discharged at Aden on 5 August 1990. She further specified that the Kuwait Petroleum Corporation still had a balance of petroleum products in Aden in addition to the aforementioned cargoes.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Peerthum] MS[Mauritius] FCT[Invitee] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[From their experience in dealing with the Kuwait Petroleum Corporation, the five States which he represented did not question its good faith in informing them that it had a stock of petroleum products in Aden. Those States were not asking the Committee to determine whether the stock existed or not, but merely to take a decision of principle as to whether the delivery of petroleum products by the Kuwait Petroleum Corporation from its stock in Aden contravened Security Council resolution 661 (1990).]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[The Committee might be ready to take a decision in principle, if it agreed with her understanding that the contracts had been concluded before 2 August 1990 and that the release of the shipment would not contravene the provisions of resolution 661 (1990). If that were the case, she proposed to address a letter to the Permanent Representative of Yemen to the United Nations to that effect.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Yemen had not submitted any question to the Committee, and that

any reply must be given to the authority that had addressed such a question. It should moreover be made clear in any decision taken by the Committee that none of the contracts concluded by the States concerned referred to the quantity of petroleum products to be released from Aden. It was apparent that the quantity had been fixed at a later stage, to tally with what appeared to be the available stock in Aden. The Committee was faced with contradictory information on the available stock, since the 120,000 tons referred to in the letter dated 15 October 1990 (S/AC.25/1990/COMM.50) did not match the quantity in excess of 170,000 tons just referred to by the representative of Kuwait.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[While he agreed in theory that the release of such a shipment did not contravene resolution 661 (1990), the conflicting reports on the quantities involved dictated caution, and he would urge deferral of a decision until the request had been transmitted to his authorities and their reply had been received.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[It was her understanding that, since the contracts concerning the purchase of the petroleum products had been entered into prior to the adoption of Security Council resolution 661 (1990), the release of the shipment did not constitute a violation of that resolution. If the Committee so agreed, she would draft a letter to the authors of the request accordingly. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Kamal] MS[Malaysia] FCT[Member] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Drew attention, in connection with the case of the contracts for petroleum products just discussed, to paragraph 5 of resolution 661 (1990), seeking clarification of the phrase "notwithstanding any contract entered into or licence granted before the date of the present resolution". Specifically, did it mean that a country which had a contract with Iraq before the adoption of resolution 661 (1990) could continue with that contract?]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Suggested that, in the absence of the Legal Counsel, the question might be raised at a forthcoming meeting.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[The Legal Counsel's reply to the question asked by the
representative of Malaysia might shed new light on the case just
discussed and might indeed conflict with the Committee's own
interpretation of the resolution. He therefore suggested that a
reply to the five African countries should be postponed until the
Legal Counsel's advice on the wider context had been heard.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Expressed doubt about revoking a decision which was in line
with previous Committee decisions and suggested that a draft letter
should be prepared and circulated to Committee members before being
dispatched.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Was not suggesting any revocation of the Committee's
decision, but wished it to be on record that Yemen was in favour of
seeking the advice of the Legal Counsel before proceeding with the
dispatch of a letter.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Took it that the Committee agreed to her drafting a letter
and circulating it among the members of the Committee. It was so
decided.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Drew the Committee's attention to document
S/AC.25/1990/NOTE/31, containing the text of the reply from the
Legal Counsel to the question posed in the letter dated 13
September 1990 from the Permanent Representative of Singapore to
the United Nations addressed to the Chairman. She took it that the
Committee decided to forward the reply of the Legal Counsel to the
Permanent Representative of Singapore. It was so decided.]

ISSUE[IRAQ/KUWAIT]
CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]
SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]
ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50
and 61; S/AC.25/1990/NOTE/31 and 33)]
TXT[Drew the Committee's attention to document

S/AC.25/1990/COMM.40, containing the text of a letter dated 9 October 1990 from the Permanent Representative of Cyprus to the United Nations addressed to the Chairman, regarding an alleged violation of resolution 661 (1990). In her view, the issues raised in the letter would require careful study, and she therefore suggested that consultations should be held on the matter before the Committee's next meeting, and that further consideration of the question should consequently be deferred until that meeting. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Drew the Committee's attention to document S/AC.25/1990/WP.12, containing the draft of a standard reply by the Chairman to communications from non-governmental organizations, prepared in accordance with the decision taken by the Committee at its 12th meeting. If she heard no objection she would take it that the draft met with the approval of members. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Intervention]

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

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Was in possession of a letter from the Permanent Observer for Switzerland concerning a flight from Geneva to Baghdad carrying medical supplies. Since there seemed to be a connection with the letter dated 26 October 1990 from Turkey, in which the Committee's approval had been sought on an identical matter, and the Geneva flight was scheduled to leave on 1 November 1990, he wished to know how the Committee intended to deal with the case in question.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[18] DATE[10/30/90] TYPE[Procedure]

SPKR[Rasi] MS[Finland] FCT[Chairman] LANG[1]

ITEM[Other matters (S/AC.25/1990/WP.12; S/AC.25/1990/COMM.40, 50 and 61; S/AC.25/1990/NOTE/31 and 33)]

TXT[Since the letter from the Swiss authorities had only just been circulated, she had deemed it preferable to allow delegations time for its consideration, but her intention was to adopt the same procedure as on previous occasions.]