

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Agenda]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[Adoption of the agenda]

TXT[Adoption of the agenda

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

Request by Iraq pursuant to paragraph 23 of Security Council resolution 687 (1991) (continued)

Letter dated 10 May 1991 from the Permanent Representative of Iraq addressed to the Chairman

Implementation of Security Council resolution 670 (1990) (continued)

Other matters

The agenda was adopted.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[REVIEW OF THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 661 (1990) (continued) (S/AC.25/1991/COMM.159)]

TXT[Drew the Committee's attention to a note verbale dated 16 May 1991 from the Permanent Representative of Jordan to the United Nations (S/AC.25/1991/COMM.159), which indicated that the Jordanian Government had resumed importing oil and oil derivatives from Iraq in limited quantities absolutely essential for Jordan's own internal needs and that such imports were being funded by drawing on Iraqi debts to Jordan. On 24 August 1990, the Permanent Representative of Jordan had submitted to the President of the Security Council a letter from the Jordanian Deputy Prime Minister concerning the effects of the implementation of Security Council resolution 661 (1990) on Jordan (S/21620). In a subsequent letter dated 27 August 1990 (S/21786, annex), the Permanent Representative of Jordan had explained that Jordan needed an immediate, continuous and secure supply of oil and oil derivatives in order to sustain its economy.]

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SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[REVIEW OF THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 661 (1990) (continued) (S/AC.25/1991/COMM.159)]

TXT[In a special report dated 18 September 1990 (S/21786), the Committee had recognized the need to deal on a continuing basis with Jordan's difficulties. Given the unique position of Jordan with respect to Iraq, he suggested that the Committee should take note of Jordan's resumption of the import of Iraqi oil, pending any arrangements that could be made to obtain supplies from other sources and on the understanding that such Iraqi oil exports were subject to the provisions of Security Council resolution 692 (1991). If he heard no objection, he would take it that the Committee wished to authorize him to inform the Permanent Representative of Jordan accordingly in writing. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[REQUEST BY IRAQ PURSUANT TO PARAGRAPH 23 OF SECURITY COUNCIL RESOLUTION 687 (1991) (continued) (S/AC.25/1991/COMM.124 and COMM.163)]

TXT[Recalled that, at its previous meeting, the Committee had authorized him to continue his consultations on the request contained in a letter from the Permanent Representative of Iraq (S/AC.25/1991/COMM.124) in order to clarify the situation regarding the availability of adequate foreign exchange resources within Iraq to pay for the import of foodstuffs and other basic commodities. On 10 May 1991, he had met the Permanent Representative of Iraq and informed him of the Committee's discussion. The Permanent Representative had indicated that he would request further information from his Government regarding the availability of foreign exchange resources and would transmit that information when it was available.]

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SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[REQUEST BY IRAQ PURSUANT TO PARAGRAPH 23 OF SECURITY COUNCIL RESOLUTION 687 (1991) (continued) (S/AC.25/1991/COMM.124 and COMM.163)]

TXT[In his letter dated 19 May 1991 (S/AC.25/1991/COMM.163), the Permanent Representative of Iraq provided information concerning Iraq's assets in currency and monetary gold.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[REQUEST BY IRAQ PURSUANT TO PARAGRAPH 23 OF SECURITY COUNCIL RESOLUTION 687 (1991) (continued) (S/AC.25/1991/COMM.124 and COMM.163)]

TXT[Had not yet received instructions from his Government regarding the most recent letter from the Permanent Representative of Iraq (S/AC.25/1991/COMM.163). That letter was somewhat disappointing in that it did not contain any figures. Clearly, Iraq had some hard currency reserves. Moreover, Iraq was receiving a great deal of international assistance both from United Nations agencies and from individual donors. While the food situation in Baghdad might not reflect the situation in the rest of the country, the United Nations was very quickly expanding its humanitarian assistance throughout all parts of Iraq. It was therefore premature for the Committee to take a decision on the matter.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[REQUEST BY IRAQ PURSUANT TO PARAGRAPH 23 OF SECURITY COUNCIL RESOLUTION 687 (1991) (continued) (S/AC.25/1991/COMM.124 and COMM.163)]

TXT[Supported the observations made by the Permanent Representative of the United Kingdom. The letter from the Permanent Representative of Iraq was neither specific nor comprehensive. The Chairman had recently sent letters to the Permanent Representative of Iraq regarding Iraqi frozen assets and foodstuffs ordered before 2 August 1990, which indicated that additional assets might be available to Iraq under the provisions of paragraph 20 of Security Council resolution 687 (1991). That possibility would have to be

fully explored before the Committee could consider taking further action on the matter.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[REQUEST BY IRAQ PURSUANT TO PARAGRAPH 23 OF SECURITY COUNCIL RESOLUTION 687 (1991) (continued) (S/AC.25/1991/COMM.124 and COMM.163)]

TXT[The most recent letter from the Permanent Representative of Iraq (S/AC.25/1991/COMM.163) should not be considered without reference to the Permanent Representative's original request (S/AC.25/1991/COMM.124). He urged those delegations that were not satisfied with the information provided by Iraq to explain why they consider that information to be insufficient.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[REQUEST BY IRAQ PURSUANT TO PARAGRAPH 23 OF SECURITY COUNCIL RESOLUTION 687 (1991) (continued) (S/AC.25/1991/COMM.124 and COMM.163)]

TXT[Would inform the Permanent Representative of Iraq that the Committee was not yet in a position to take a decision on the issue. He would keep the members of the Committee informed of his consultations with the Permanent Representative.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]

TXT[The Committee had before it a letter dated 10 May 1991 from the Permanent Representative of Iraq (S/AC.25/1991/COMM.155) requesting the Committee to approve the shipment of Iraqi banknotes for which a contract had been concluded with the Thomas Delarue company of the United Kingdom on 5 February 1990. In addition, Iraq requested that an amount equivalent to the value of the contract should be freed from frozen Iraqi assets in order to enable Iraq to make the necessary payment.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]

TXT[The Department of Trade and Industry had examined its records very thoroughly and had ascertained that it had never given the Thomas Delarue company any authorization to ship the banknotes to Iraq, subject to the Committee's approval. The parties concerned were required to apply to that Department for an export licence, at which time the British authorities would consider whether or not the grounds of humanitarian need were applicable in the particular case.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[While it was clear that Iraq would have to comply with the United Kingdom's export regulations, the Committee would still have to decide whether or not it objected to the shipping of the banknotes and to the freeing of frozen Iraqi assets.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]  
SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[Would inform the Permanent Representative of Iraq that, before the Iraqi banknotes could be shipped from the United Kingdom, an export licence would have to be applied for. With respect to the freeing of Iraqi assets, the Committee would have to decide whether or not the shipment of Iraqi banknotes could be considered to constitute humanitarian needs as specified in paragraph 20 of Security Council resolution 687 (1991).]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[The the representative of the United Kingdom had not indicated which party - the Thomas Delarue company or Iraq - was required to apply for the export licence.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Richardson] MS[United Kingdom] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[Believed that it would be necessary for the British company to apply for the licence.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Posso Serrano] MS[Ecuador] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[The Committee should inform the Permanent Representative of Iraq that the Thomas Delarue company had the responsibility of applying for the export licence. It seemed to him that what Iraq wished to know was whether the Committee was prepared to authorize it to order the production of the banknotes.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[Pointed out that, according to paragraph 3 of document S/AC.25/1991/COMM.155, the Thomas Delarue company had applied to the British authorities for permission to ship the banknotes to Iraq but the British authorities had rejected the request.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Richardson] MS[United Kingdom] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[Reiterated that the Department of Trade and Industry had  
investigated all its records and found that the Thomas Delarue  
company had never applied for permission to ship the banknotes to  
Iraq.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Menon] MS[India] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[The parties concerned would have to fulfil the procedural  
requirements regarding the export of the Iraqi banknotes. With  
respect to Iraq's request for the freeing of an amount of its  
assets equivalent to the value of the contract, further  
consultations with the Permanent Representative of Iraq would be  
required in order to ascertain whether or not the export of the  
banknotes was needed to satisfy essential civilian needs.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]  
SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[Invited the Committee to reflect on whether the export of  
banknotes came under the category of essential civilian needs as  
specified in resolution 687 (1991), paragraph 20. If Committee  
members were agreeable, he would inform Iraqi authorities of the  
need for an export licence, and would request further information  
on the relationship of the banknotes to humanitarian aid and  
civilian needs.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]  
SPKR[Posso Serrano] MS[Ecuador] FCT[Member] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[Paragraph 4 of the communication clearly indicated that the  
Iraqi authorities were aware of the need for an export licence.  
Furthermore, the Committee had no authority to dictate how the  
banknotes were to be used, and he wondered whether its  
authorization was even required.]

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CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]  
SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]  
ITEM[LETTER DATED 10 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ ADDRESSED TO THE CHAIRMAN (S/AC.25/1991/COMM.155)]  
TXT[After discussion with the Iraqi Ambassador regarding the need  
for an export licence and for more information on the relationship  
of the request to civilian needs, he would seek the views of  
Committee members on the advisability of unfreezing assets for that  
purpose.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[Drew attention to document S/AC.25/1991/COMM.157, containing a letter dated 14 May 1991 from the Permanent Mission of Mauritania reporting that its Government had authorized the transfer of two Iraqi aircraft from Nouakchott to Amman, Jordan, and further stating that Mauritania had obtained the commitment of the Iraqi authorities to use the aircraft only within the framework of international legality and in accordance with relevant United Nations resolutions.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[Although the item under discussion was the implementation of resolution 670 (1990), his Government was concerned by the Mauritanian action in relation to resolution 661 (1990), paragraphs 3 and 4. If the aircraft had been turned over to Iraqi Airways personnel, that action was inconsistent with the sanctions imposed, as was any servicing of the aircraft. His Government would welcome assurances from Jordan and Iraq that the aircraft would not be repatriated to Iraq. The Committee should not condone such a violation of sanctions.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[As he understood the communication, Mauritania was concerned about technical problems with the aircraft. The servicing of Iraqi aircraft held in the territory of another State would impose an unfair burden on that State. While the Committee must of course remind States that the embargo against Iraq was still in effect, the servicing of Iraqi aircraft still had to be paid for. Perhaps the Committee could authorize such payments.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[The sanctions established by resolution 661 (1990) prohibited the servicing of Iraqi aircraft. Mauritania had returned the planes either to Iraq, in clear violation of the sanctions, or to Jordan. In the latter case, Jordan must provide assurances that it would not send the aircraft on to Iraq.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[Recalled that the country against which Security Council sanctions had been imposed because of violations of international law was not Jordan, but Iraq. The Committee was once again considering a matter relating to Jordan as if sanctions had been imposed against it. The aircraft in question had been sent to Jordan because of the absence of suitable facilities in Mauritania: if they sat unprotected on a runway they would eventually become inoperable, which would benefit no one. His delegation viewed the Mauritanian request as legitimate, since the aircraft were now at Amman, and no sanctions had been imposed against Jordan.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[In the view of his delegation, strict compliance with resolution 661 (1990) and other relevant Security Council resolutions was essential. Assets should not be transferred to Iraq without Committee approval. The aircraft were a special case, however, as they could not be properly maintained at Nouakchott, and his delegation had no objection to their transfer to Jordan. However, the Jordanian Government should affirm its commitment that the planes would not be transferred to Iraq. Paragraph 5 of the communication was unclear. The commitment of the Iraqi authorities was irrelevant if Iraq did not have possession of the aircraft.]

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SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[Would take it that the Committee noted the Mauritanian request. If Jordan made a commitment not to return the aircraft to Iraq, the Committee could then review the Mauritanian request in the light of the Jordanian response. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 670 (1990)  
(continued) (S/AC.25/1991/COMM.157 AND COMM.161)]

TXT[Drew attention to communication S/AC.25/1991/COMM.161, containing a letter from the Secretary of the Committee dated 17 May 1991 transmitting a communication from the Office of the United Nations Disaster Relief Coordinator containing a consolidated report on United Nations relief and humanitarian flights to Iraq. If he heard no objection, he would take it that the Committee took note of the communication. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Procedure]

SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]

ITEM[OTHER MATTERS]

TXT[Since the previous meeting, he had drawn the attention of several members representing States which were cooperating with Kuwait under the terms of resolution 665 (1990) to the suggestion that those States could elaborate guidelines or recommendations for

facilitation of the shipment and inspection of notified foodstuffs and authorized civilian goods. The members contacted had noted the suggestion with interest and advised him that they would pursue the matter within the circle of concerned countries.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[OTHER MATTERS]

TXT[Referring to the suggestion made by the representative of India at the previous meeting, said that his Government had expressed doubt as to whether the International Maritime Organization was best suited to handle the arrangements, since it was mainly a technical and advisory body. It would be extremely useful if sending States gave as much information as possible to facilitate inspection. The letter from the Permanent Representative of Morocco which the Committee had considered at its previous meeting was a commendable example of the type of information that was helpful.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

SPKR[Menon] MS[India] FCT[Member] LANG[1]

ITEM[OTHER MATTERS]

TXT[His delegation was open to suggestions regarding which organization should oversee the arrangements. Any framework was acceptable as long as information was transmitted to the shipping companies concerned.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[OTHER MATTERS]

TXT[To facilitate the task, it would be useful to draw up a list of the States cooperating with Kuwait so that ship captains would know which vessels had the authority to stop them. The States of the region should also specify where ships could be stopped for inspection.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[41] DATE[5/21/91] TYPE[Intervention]

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

ITEM[OTHER MATTERS]

TXT[Reported that the matter concerning the Algerian vessel "Aurès" had been resolved thanks to close cooperation between his Government and those of Algeria and Egypt. The ship had undergone inspection by Egyptian authorities the previous week at Port Suez, and had continued to the Port of Aqaba, where its cargo of humanitarian aid had been off-loaded.]