

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Agenda]

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

ITEM[Adoption of the agenda]

TXT[Letter dated 14 October 1991 from the Permanent Representative of Iraq addressed to the Chairman

Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman

Review of implementation of resolution 661 (1990)

Notes verbales dated 22 and 30 October 1991 from the Permanent Representative of Jordan addressed to the Chairman

Letter dated 24 September 1991 from the Permanent Representative of Iraq addressed to the Chairman

Communication from the Executive Delegate of the Secretary-General for a United Nations Inter-Agency Humanitarian Programme for Iraq, Kuwait and the Iraq/Turkey and Iraq/Iran border area

Note verbale dated 29 October 1991 from the Permanent Representative of Jordan

Communications under the "no-objection" procedure

Other matters. The agenda was adopted.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Letter dated 14 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.492)]

TXT[In a letter dated 14 October 1991 (S/AC.25/1991/COMM.492), the Permanent Representative of Iraq requested that the Committee, inter alia, "address the question of permission for the Iraqi vessels entered in the annexed list to transport foodstuffs and humanitarian items ... to Iraq".]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 14 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.492)]

TXT[His Government had considered the request made in the letter from the Permanent Representative of Iraq and could not agree to it. Paragraph 3 (c) of Security Council resolution 661 (1990) prohibited the sale or supply of any commodities or products for the purposes of any business carried on in Iraq, and the only exception was foodstuffs and items designed to meet essential civilian needs; that prohibition clearly ruled out transportation by any country in support of the operations of the Iraqi merchant fleet. Under paragraph 4, States were prohibited from making available to the Government of Iraq any financial or economic resources, and the movement or relocation of the ships in question would certainly involve such provision of resources.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 14 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.492)]

TXT[It was clear from the letter from the Permanent Representative of Iraq that the request made was in no way contrary to the paragraphs of Security Council resolution 661 (1990) referred to by

the representative of the United States. The purpose of the request was clear cut; it was to transport foodstuffs and humanitarian items to Iraq and that was in accordance with the purposes laid down and exceptions made in paragraph 3 (c) of Security Council resolution 661 (1990). The ships would clearly not be engaged in a commercial transaction, which would have been contrary to the resolution. It was difficult to understand why the Committee could not grant an exception for the transport of medicine and foodstuffs by Iraqi vessels when it had done so with respect to Iraqi aircraft only a short time before.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 14 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.492)]

TXT[Since the Committee acted on the basis of consensus, since an objection had been raised and since all were aware of how the Committee operated, he wished members to be fully informed of his Government's view of the matter.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Letter dated 14 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.492)]

TXT[Would transmit the views expressed by the Committee to the Permanent Representative of Iraq. He would continue bilateral consultations and, if there was any new development, he would report back to the Committee.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[In a letter contained in document S/AC.25/1991/COMM.506, the Permanent Representative of Iraq requested that the Committee should authorize Iraqi Airways "to sell or rent out a number of its aircraft, so as to enable it to repay a substantial portion of its debts ... resulting from the prohibition on carrying on its activities".]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[His authorities considered that the proposed transaction would be a financial transaction in breach of Security Council resolution 661 (1990). They were therefore unable to accede to the request made by the Permanent Representative of Iraq.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[Suggested that the Committee should seek an advisory opinion from the International Civil Aviation Organization (ICAO), with particular reference to the last part of the letter from the Permanent Representative of Iraq. The Committee needed to know whether there was any basis for Iraq's contention that the aircraft owned by Iraqi Airways were deteriorating before it could formulate its own opinion.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[It was not clear what a request to ICAO would achieve because ICAO was bound by the decisions of the Security Council and of the Committee within the authority conferred on it by the Security Council.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[Was not suggesting that ICAO should do anything that would run counter to resolutions of the Security Council, which it was bound to respect. He merely wanted to seek an opinion on whether Iraq's contention was true or false from a technical point of view.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[His delegation could agree with the view of the representative of the United Kingdom that the letter referred to a financial transaction that was clearly contrary to Security Council resolution 661 (1990). Therefore, a request to ICAO for an advisory opinion would not change the fundamental question of whether or not the request was legitimate in terms of Security Council resolutions and would simply give unnecessary work to ICAO.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[There was clearly no agreement on Yemen's request that ICAO be contacted for an advisory opinion. He would therefore inform the Permanent Representative of Iraq of the views expressed in the Committee. If Iraq was prepared to give further details or specifics on the connection between the grounding of its aircraft and specific damage to those aircraft it would be its right to do so.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative

of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]  
TXT[His delegation found it regrettable that the view had been expressed that an advisory opinion from ICAO would make no difference and would like that view to be reflected in the record of the meeting. The aircraft in question were civilian aircraft; he wondered whether the objective was to destroy everything in Iraq, even civilian aircraft. He found it surprising that other members of the Committee did not even want to hear from ICAO. A few months previously some members of the Committee had even opposed the repair of a United Nations building in Baghdad. His delegation's suggestion was without prejudice to the Iraqi request as such. The opposition to his suggestion once again confirmed what his delegation had felt on previous occasions when it had sought the opinion of the Legal Counsel and certain members of the Committee had been opposed.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[The Committee had to remember that the purpose of the whole regime of sanctions was to induce a response or acceptable pattern of behaviour from the Iraqi authorities on a whole range of issues. The record of Iraqi behaviour fell considerably short of expectations. A simple and straightforward response from Iraq would allow a much more normal pattern in international interaction between Iraq and the rest of the international community. There were much more important issues before the Committee than the possible deterioration of the Iraqi civilian air contingent, including the welfare of the Iraqi people. The Committee had spent some time trying to establish a mechanism to respond to their humanitarian needs, and it was regrettable that there was no clear indication as to whether the Iraqi authorities were prepared to make use of the mechanism that had been made available to them.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Chairman (S/AC.25/1991/COMM.506)]

TXT[Would inform Iraq of all the views expressed in the Committee.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Review of implementation of resolution 661 (1990) (S/AC.25/1991/COMM.159, S/AC.25/1991/NOTE/55, S/AC.25/1991/COMM.267 and 500)]

TXT[Document S/AC.25/1991/COMM.500 contained a letter dated 17 November 1991 from the Permanent Representative of Jordan which included a list showing the quantities of oil and oil derivatives imported by Jordan from 1 to 30 September 1991. If he heard no objection, he would take it that, as on two previous instances, the Committee wished to take note of the communication. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Notes verbales dated 22 and 30 October 1991 from the Permanent Representative of Jordan addressed to the Chairman

(S/AC.25/1991/COMM.520, 521, 546)]

TXT[All three notes verbales (S/AC.25/1991/COMM.520, 521, 546)

contained reports "on the traffic of food and medical supplies that passed through the Ruweished border point on its way to Iraq"

covering the periods 10 to 18 October, 5 to 11 October and 19 to 25 October, respectively. If he heard no objection, he would take it

that the Committee wished to take note of those communications. It

was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Letter dated 24 September 1991 from the Permanent

Representative of Iraq addressed to the Chairman

(S/AC.25/1991/COMM.445)]

TXT[Recalled that at its 52nd meeting, the Committee had authorized him to seek additional information from the Permanent

Representatives of Jordan, Yemen and Iraq in connection with the

three Iraqi tankers located in Aden. The Permanent Representative

of Yemen had informed him that the tankers in question, which had

originally been full, had been emptied for environmental and

security reasons due to the outbreak of armed action in the region.

The Permanent Representative had stressed that Yemen had no

objection to the ships leaving Aden, should the Committee approve

the Iraqi request. Since there was no further information at that

stage from Iraq or Jordan, he intended to take up the matter again

once such information became available.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Communication from the Executive Delegate of the Secretary-

General (S/AC.25/1991/COMM.526)]

TXT[The Committee had before it a letter dated 23 October 1991 from the Executive Delegate addressed to the Chairman

(S/AC.25/1991/COMM.526) in which the Executive Delegate requested

information on all notifications made to the Committee ... for

medicines or foodstuffs, quantified by volume or units, and by

value, identifying the requesting country as well as giving the

number of requests and aggregate volumes". He also wished to know

whether such transactions had in fact been completed and what the

respective shipment dates were and requested similar data regarding

supplies for essential civilian needs. He proposed that the

Secretariat be authorized to provide the requested information to

the Executive Delegate.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-

General (S/AC.25/1991/COMM.526)]

TXT[Security Council resolutions 706 (1991) and 712 (1991) had not

cancelled Security Council resolution 661 (1990) and the procedures

established in it. His delegation could not support the Executive Delegate's request because it established a link between those resolutions. His delegation had raised the question of the continuity of requests approved under resolution 661 (1990) and had been told that they would continue. Security Council resolutions 706 (1991) and 712 (1991) referred to selling oil and purchasing food but not as an alternative to authorizations under Security Council resolution 661 (1990). His delegation was concerned about the link that was being made between those resolutions.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[It was his understanding from the Executive Delegate's letter, especially the first paragraph, that the Executive Delegate was making his request strictly in the context of Security Council resolutions 706 (1991) and 712 (1991), which gave him the responsibility of assessing the humanitarian needs of Iraq as they evolved, and on a continuous basis. He was seeking information on humanitarian deliveries as duly notified to the Committee and on goods provided to meet essential civilian needs under the no objection procedure so that he would be able to assess the humanitarian needs of the people of Iraq as required under those resolutions.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[In the remarks made by the representative of Yemen he had detected a concern that the procedures which the Committee was adopting in respect of Security Council resolutions 706 (1991) and 712 (1991) might be read back in some way into the procedures of resolution 687 (1991), which had been a much more flexible resolution. He felt that the Executive Delegate was simply requesting transparency of information so that he would have some idea as to what shipments the Committee had authorized; the question of whether or not all the authorizations had been converted into actual shipments was another matter on which the Committee might not have sufficient information. The Executive Delegate was making a neutral request for information.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[Since the representatives of Yemen and the United Kingdom had made different interpretations of the letter from the Executive Delegate, the letter was clearly ambiguous, and the simplest solution would be for the Chairman, when replying to the letter, to establish clearly that the Committee understood that there was no link between Security Council resolutions 706 (1991) and 712 (1991) and Security Council resolution 661 (1990). His delegation felt that the Executive Delegate's request was legitimate but that the

Committee's understanding of it should be made clear.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[Would draft a reply to the Executive Delegate along the lines suggested by the representative of Cuba making it clear that the Committee understood the letter to refer only to factual information that would in no way interfere with the procedures under paragraph 20 of Security Council resolution 687 (1991) and the decisions reached by the Committee on 22 March 1991. He would then circulate the letter for comments.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[An answer to the Executive Delegate in the terms suggested meant accepting in principle that there was a link between the request and the provisions of resolution 687 (1991). The letter stated that the Office of the Executive Delegate required information in order to be able to pronounce on the justification for purchases of foodstuffs, medicines and other essential supplies and that the Executive Delegate considered the information vital for the implementation of the responsibilities entrusted to him under the relevant resolutions of the Council.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[The question was not one of procedure or justification; if the Executive Delegate wanted the information, he could obtain it, as it was not classified. His delegation felt that, by responding, the Committee would be accepting a link between resolution 687 (1991) on the one hand and resolutions 706 (1991) and 712 (1991) on the other and could not agree even to any response being made to the request. It suggested that confirmation should be obtained from the Executive Delegate that there was no such link. It seemed that a new attempt was being made to starve the Iraqi people, and that Yemen could never accept and would resist in every way possible.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[Professed himself baffled by the statement of the representative of Yemen, and pointed out that two or three weeks previously the Committee had unanimously agreed on a procedure for the export of oil from, and the import of food into, Iraq, conditional upon the deposit of oil revenues in the appropriate escrow accounts. Iraq was to provide lists of the food it wished to import, and the United Nations system was to examine those lists.]

That was the context in which the Executive Delegate's request should be seen: he only wanted to get a broad idea of what was already being imported so that the United Nations system could better judge the lists to be submitted by Iraq in any case.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[Referred the Committee to document S/23149 of 16 October 1991, in which it was stipulated that Iraq would send a categorized list of relevant requirements to the Executive Delegate, and said that in his opinion, in seeking factual information, the Executive Delegate was only acting in accordance with established procedure so as to be able to make a better assessment of Iraq's humanitarian needs. However, he was ready to request clarification from the Executive Delegate if the Committee so desired, together with a statement that only factual information was being sought for the purpose of implementation of resolutions 706 (1991) and 712 (1991).]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[The Chinese delegation endorsed the Chairman's view and had always appreciated the work of the Executive Delegate in satisfying the humanitarian needs of the Iraqi people. China was in favour of complying with the request for information by the Executive Delegate, but as there was no consensus in the Committee, suggested that the Committee should consider the possibility of providing to him only the total amounts of foodstuffs, medicines and so on supplied to Iraq, without any detailed breakdown.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[Would include China's suggestion in his communication to the Executive Delegate.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[If the objection raised by Yemen had been made by another member of the Committee, the matter would have been laid aside. His delegation was willing to go along with the Chairman's proposal, but that should not be construed to mean that it approved of the request.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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



ITEM[Communication from the Executive Delegate of the Secretary-General (S/AC.25/1991/COMM.526)]

TXT[All delegations were treated in exactly the same manner by the Chairman. He would ask the Executive Delegate to clarify the nature of his request and would then resubmit to the Committee. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Note verbale dated 29 October 1991 from the Permanent representative of Jordan (S/AC.25/1991/COMM.545)]

TXT[The case was not simply one of Iraq paying for food from Jordan, which would be quite acceptable whatever the form of the payment, for there was no indication of the quantities or the nature of the foods and medicines and in paragraph 2 previous indebtedness of the Iraqi importers to the Jordanian business community was mentioned. That in itself was sufficient to put the transaction outside the scope of resolutions 661 (1990) and 687 (1991), and the United Kingdom could not approve it.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Note verbale dated 29 October 1991 from the Permanent representative of Jordan (S/AC.25/1991/COMM.545)]

TXT[Would contact the Ambassador of Jordan and ask him to clarify the request in the light of the Committee's views.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

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

ITEM[Note verbale dated 29 October 1991 from the Permanent representative of Jordan (S/AC.25/1991/COMM.545)]

TXT[Asked for clarification of the proposed request to Jordan. He wondered whether there might not be some similarity between the case before the Committee and that of the Delarue bank note company.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Note verbale dated 29 October 1991 from the Permanent representative of Jordan (S/AC.25/1991/COMM.545)]

TXT[The purpose of the requested movement of gold coins and bullion was to satisfy the demands of the business community in Jordan. Iraq was free to pay in whatever form it wished. Under paragraph 20 of resolution 687 (1991), if any country wished to deliver goods to Iraq, by purchase or otherwise, it must make full disclosure of the transaction. The letter before the Committee was not specific. A specific request was necessary under the agreed procedures. On the second point raised by Yemen, namely the matter of the Delarue bank note company, in that situation Iraq had requested paper money not to meet specific debts but for general circulation within the country; the present case was quite different.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]

SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]  
ITEM[Note verbale dated 29 October 1991 from the Permanent  
representative of Jordan (S/AC.25/1991/COMM.545)]  
TXT[Suggested that the Committee should advise Jordan that approval  
would be forthcoming on condition that all relevant information was  
supplied. If it was clear to the Committee that Jordan was required  
to give information on the receipt of gold bullion from Iraq, Yemen  
was ready to accept that.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]  
SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]  
ITEM[Note verbale dated 29 October 1991 from the Permanent  
representative of Jordan (S/AC.25/1991/COMM.545)]  
TXT[Debts arising before the decisions of 22 March 1991 by the  
Committee and the Security Council were treated differently from  
those incurred afterwards. It must be clear that Jordan was not  
requesting compensation for debts incurred earlier than that date,  
which would then be a matter for the United Nations Compensation  
Fund. He intended to contact the Jordanian Ambassador and request  
specific information and reassurance that the request related to  
deliveries made in accordance with the decisions of 22 March 1991  
and paragraph 20 of resolution 687 (1991). He would so proceed and  
inform the Committee of the outcome.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]  
SPKR[Moose] MS[United States] FCT[Member] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[His delegation had re-examined the two items to which it had  
entered objections and was now in a position to remove its  
objection to document S/AC.25/1991/COMM.499, for deep well pumps,  
and document S/AC.25/1991/COMM.531, relating to spare parts for  
tractors from Czechoslovakia.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]  
SPKR[Richardson] MS[United Kingdom] FCT[Member] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[His delegation had no difficulty with documents  
S/AC.25/1991/COMM.499, 529 and 531, but that it maintained its  
objection to documents S/AC.25/1991/COMM.517 and 523.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]  
SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[The transactions described in documents S/AC.25/1991/COMM.529,  
531 and 499 were therefore now acceptable to the Committee, but  
that there were still objections to those described in documents  
S/AC.25/1991/COMM.517 and 523.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]  
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]

ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[Any objections raised should be circulated to delegations by  
facsimile so that they would be aware of them before the Committee  
met.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]  
SPKR[Hohenfellner] MS[Austria] FCT[Chairman] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[Implementation of the proposal of the representative of Yemen  
would severely complicate his own work. Under the current  
procedure, all objections received were included in the agenda and  
circulated to members of the Committee. The details concerning such  
objections were not known prior to the Committee's meetings. Should  
the Committee, however, request that all objections should be  
circulated prior to its meetings, he would have no alternative than  
to respect the Committee's wishes even though doing so would place  
a severe burden on the Secretariat.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]  
SPKR[Schlittler] MS[PSCA] FCT[Secretariat] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[Circulating the objections prior to meetings of the Committee  
would indeed place a severe burden on the Secretariat in view of  
the considerable work that the translation and preparation of the  
documents would entail. If that, however, was the decision of the  
Committee, then the Secretariat would have to consider the question  
of where to obtain the necessary resources.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]  
SPKR[Posso Serrano] MS[Ecuador] FCT[Member] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[In view of the fact that explanations concerning objections  
were given during the Committee's meetings, it would be difficult  
to justify increasing the Secretariat's workload. He was therefore  
in favour of maintaining the existing procedure.]

ISSUE[IRAQ/KUWAIT]  
CAT[661] MTG[54] DATE[11/5/91] TYPE[Intervention]  
SPKR[Al-Alfi] MS[Yemen] FCT[Member] LANG[1]  
ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]  
TXT[His proposal had been misinterpreted. It was not his intention  
that members of the Committee should be provided with the details  
of objections but merely informed if there were objections in order  
to be able to organize their work better prior to the Committee's  
meetings. His proposal had been aimed at simplifying the  
Committee's work since, if members had prior information concerning  
objections they might be able to clarify the situation through  
bilateral consultations thus saving the Committee both time and  
money. He would not, however, insist on his proposal.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Communications under the "no-objection" procedure  
(S/AC.25/1991/COMM.499, 517, 523, 529, 531)]

TXT[Objections were often received just before the start of meetings. In such cases it would be technically impossible to circulate them. Often, also, objections were withdrawn after further information was received by the objecting member. He would be willing to inform any member who inquired by telephone of his receipt of late objections. In view of the fact that the representative of Yemen did not insist on his proposal, he would take it that the Committee wished to retain the existing procedure on the matter. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Other matters (S/AC.25/1991/COMM.493 and 525)]

TXT[Document S/AC.25/1991/COMM.493 contained a letter dated 16 October 1991 from the Permanent Representative of Iraq addressed to the Vice-Chairman in which the Permanent Representative requested that the Committee should urge Kuwait to take delivery of "Kuwaiti aircraft located in Iran in accordance with Security Council resolutions". Given that the issue was that of the return of Kuwaiti property, he wished to propose that he should be authorized to forward the communication to the Assistant Secretary-General for General Services, who was also the designated official responsible for coordinating the return of property from Iraq to Kuwait in accordance with Security Council resolution 686 (1991). If he heard no objection, he would take it that the Committee agreed with his proposal. It was so decided.]

ISSUE[IRAQ/KUWAIT]

CAT[661] MTG[54] DATE[11/5/91] TYPE[Procedure]

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

ITEM[Other matters (S/AC.25/1991/COMM.493 and 525)]

TXT[Drew the Committee's attention to document S/AC.25/1991/COMM.525, which contained the text of a letter dated 18 October 1991 from the Bank for International Settlements addressed to the Chairman. The letter stated, inter alia, that the Bank had informed the Central Bank of Iraq of the procedure currently in place for the release of Iraq's assets through the sub-account of the escrow account. If he heard no objection, he would take it that the Committee took note of the communication. It was so decided.]