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**LETTER DATED 28 FEBRUARY 1992 FROM THE CHARGE D'AFFAIRES A.I.  
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS  
ADDRESSED TO THE SECRETARY-GENERAL**

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 February 1991 from Mr. Ahmad Hussein, Minister for Foreign Affairs of Iraq, concerning the measures taken by Iraq in order to meet its obligations with regard to the implementation of paragraphs 30 and 31 of Security Council resolution 687 (1991).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Samir K. K. AL-NIMA  
Chargé d'affaires a.i.

ANNEX

Letter dated 28 February 1992 from the Minister for Foreign  
Affairs of Iraq addressed to the Secretary-General

I have the honour to inform you of the following:

1. Since the end of the Gulf war, Iraq has been meticulously following up the commitment incurred, in implementation of paragraphs 30 and 31 of Security Council resolution 687 (1991), to facilitate the repatriation of all those Kuwaiti nationals accepted by the Kuwaiti authorities and of all third-country nationals. Iraq has also extended all necessary cooperation to the International Committee of the Red Cross (ICRC) by providing lists of such persons, facilitating the access of ICRC to all such persons wherever located and allowing ICRC to make the visits that it has requested to places of detention and imprisonment.
2. In cooperation with the ICRC delegation in Baghdad, the competent Iraqi authorities have returned to Kuwait 6,520 Kuwaitis or persons of other nationalities, both soldiers and civilians, since 4 March 1991. There are also at present 3,594 Kuwaitis in Iraq who are not detainees but who are at liberty, are living a normal life and may move about among all of Iraq's governorates. They were given the opportunity to register with ICRC in Baghdad and to submit applications in order to return to Kuwait of their own free will and without interference on the part of the Iraqi authorities. At the outset, the ICRC delegation approached the Kuwaiti authorities with a view to seeking agreement to their repatriation. However, clearances were obtained from the competent Kuwaiti authorities for the return of only 468 of all such Kuwaitis, and we still await their agreement to the repatriation of the remainder so that we can immediately effect the repatriation under the supervision of ICRC.
3. By its note No. 5951 of 15 September 1991, the ICRC delegation forwarded to the competent Iraqi authorities a list sent by the Kuwaiti authorities containing the names of 2,242 persons that they believed to be in Iraq. The competent Iraqi authorities proceeded to take the necessary measures to verify the list on the basis of the information available to them, and it was concluded that 233 of the persons on the list had already been repatriated to Kuwait under the supervision of ICRC and that there were 59 Kuwaitis on the same list who were still in Iraq awaiting approval from the Kuwaiti authorities for their repatriation. The competent Iraqi authorities have no information on the other names contained in the Kuwaiti list.
4. For the purpose of making the inter-Arab and international community directly aware of the developments that had taken place in the matter, the Secretary-General of the League of Arab States was requested to send a team to Iraq in order to investigate and ascertain the situation of the Kuwaitis on the spot. We gave assurances that Iraq would cooperate with the team and that it would provide all necessary facilities for it to acquaint itself with the

facts as they really were. At the request of Iraq and on the basis of the discussions that took place during the ninety-sixth session of the Council of the League, held at Cairo from 10 to 12 September 1991, the Secretary-General of the League appointed as his representative Mr. Abd Allah Adam, an Assistant Secretary-General of the League and a national of Somalia, to be accompanied by Mr. Mukhtar al-Yamani, a national of Morocco, to undertake a visit to Iraq and to investigate and ascertain the situation of the Kuwaitis and the manner in which they were living.

The delegation arrived at Baghdad on 27 September 1991 and pursued its mission until 14 October 1991. During that time, it met the Minister for Foreign Affairs and the Minister of State for Foreign Affairs and held lengthy meetings with officials in the Ministry of Foreign Affairs. It also held frequent meetings with the ICRC delegation in Baghdad. The delegation made on-site visits to those of Iraq's governorates where Kuwaitis were located, established direct contact with them and became acquainted with the kind of conditions in which they were living. On completion of his mission, Mr. Abd Allah Adam expressed immense satisfaction at the great interest shown in the delegation and at the availability of all the facilities requested, which had contributed to the success of the delegation's mission. The two sides agreed that the mission should be open-ended, in the event that additional information should become available in the future. Following his return to Cairo, Mr. Abd Allah Adam reached agreement with the Secretary-General of the League that there should be no public announcement of the results of his visit to Iraq and that they should simply be communicated to the representative of Kuwait to the League. Consequently, on 18 December 1991, Iraq instructed its Permanent Representative to the League to request the Secretary-General to communicate the results and assessment of the visit to Baghdad of his representative, Ambassador Abd Allah Adam, to the States members of the League so that they might be informed of the true state of affairs.

5. On 16 and 17 October 1991, meetings were held in Geneva between an Iraqi delegation and delegations from the coalition States under the auspices of ICRC. These meetings produced a protocol prepared by ICRC and signed by the parties participating in the meetings. The protocol pressed on Iraq a number of requests in connection with the implementation of paragraphs 30 and 31 of Security Council resolution 687 (1991). Iraq dealt with the protocol in a positive manner, inasmuch as it informed ICRC, by Ministry of Foreign Affairs note No. 7/4/1/13/64592 of 11 November 1991, of its agreement to the following:

- (a) That the names of missing Kuwaitis and Saudis, in accordance with the lists provided by Kuwait and Saudi Arabia, would be printed and disseminated in one Iraqi newspaper for the purpose of tracing them and seeking information on their fate;
- (b) That lists of places of detention and prisons would be provided to the ICRC delegation so that it could visit each of them once only;

- (c) That the visits to detention centres and prisons for the purpose of tracing missing Kuwaitis and Saudis would be coordinated with the competent Iraqi agencies and with the Ministry of Foreign Affairs;
- (d) The Iraqi side requested that the principle of reciprocity should be observed by establishing that the above procedures would also be followed in Saudi Arabia and Kuwait in the search for missing Iraqis.

6. On 18 December 1991, the ICRC delegate communicated to the Iraqi side the reply of the coalition States to the note of the Ministry of Foreign Affairs of Iraq indicated in paragraph 5 above. It was to the following effect:

That the publication of the names of missing Kuwaitis and others in one local newspaper was insufficient, and that the announcement should be published again in a number of newspapers;

That the parties to the coalition did not agree that visits should be limited to once only to each location;

That they did not accept the principle of reciprocity in Kuwait and Saudi Arabia.

7. After considering the reply of the coalition States mentioned in paragraph 6 above, the Ministry of Foreign Affairs of Iraq addressed to ICRC its note No. 7/4/1/13/66671 of 17 December. Paragraph 2 of the note stated as follows:

"2. As a solution, Iraq proposes that ICRC should be entrusted with the preparation of an overall plan of coordination, to be agreed upon between Iraq and the other parties, concerning methods and procedures for tracing missing Kuwaitis, Saudis, Iraqis and others on the basis of the provisions of the 1949 Geneva Conventions."

As of the date of writing, ICRC has not responded to Iraq's proposal.

8. Iraq is closely observing the dubious attempts being made by those States that are exploiting this matter in a misleading manner in order to wage media campaigns aimed at deluding Arab and international public opinion into believing that Iraq is detaining large numbers of Kuwaitis and is refusing to repatriate them. These campaigns are also aimed at perpetuating the harm done to Iraq and its long-suffering Arab people by maintaining the embargo and the unjust economic boycott imposed on it. In order to reveal the truth and expose the inhuman goals of the States that are waging such deceptive media campaigns, the Ministry of Foreign Affairs of Iraq addressed to the ICRC delegation in Baghdad its note No. 7/4/1/13/66109 of 20 February 1992, in which it stated the following:

Firstly: That the competent Iraqi authorities were prepared to take the necessary measures to publish the names of missing Kuwaitis, Saudis and others in the Iraqi newspapers;

Secondly: That they were prepared to arrange visits for representatives of ICRC to prisons and places of detention so that they could investigate and seek the missing persons in accordance with the customary rules and the Geneva Conventions;

Thirdly: That they were prepared to reach agreement on the details relating to publication and to visits with the head of the ICRC delegation in Baghdad.

Iraq, having on 20 February 1992 communicated its position to ICRC, has met its obligations as stipulated in paragraphs 30 and 31 of Security Council resolution 687 (1991). It requests you, the Secretariat and the Security Council to accord the necessary attention to Iraq's positive attitude on this matter, one by virtue of which the pretexts used by certain parties on the international scene in order to maintain the economic embargo against Iraq stand confounded.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Ahmad HUSSEIN  
Minister for Foreign Affairs

