

## Security Council

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LETTER DATED 25 MAY 1995 FROM THE PERMANENT REPRESENTATIVE  
OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT  
OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to refer to the letter of 3 May 1995 addressed to you by the Permanent Representative of Kuwait and circulated as document S/1995/357. I should like to state that this letter contains palpable falsehoods that are intended to exert an adverse influence on the periodic review of the sanctions imposed on Iraq. This is an approach that Kuwait has persisted in adopting whenever the time for a review approaches. In my letter of 10 March 1995 (S/1995/195), I gave Iraq's response to similar Kuwaiti sophistries.

We reaffirm to you hereunder our refutation of the allegations again made in the letter of the representative of Kuwait.

1. Missing persons

Despite the claims of the representative of Kuwait, the meetings of the tripartite committee and its technical subcommittee have yielded tangible results. Some 230 dossiers on missing Kuwaitis and others have been processed since Iraq began to investigate the fate of missing persons in June 1994, having devised a procedure based on recollections because of the destruction of all official documentation in the southern governorates during the subversive civil disturbances of 1991. The technical subcommittee has processed 168 dossiers since its establishment on 8 December 1994, as stated by the International Committee of the Red Cross (ICRC) at the meeting of the tripartite committee held at Geneva on 7 April 1995.

The Government of Iraq remains committed to the provisions relating to missing Kuwaitis contained in paragraphs 30 and 31 of Security Council resolution 687 (1991). Iraq has never failed to meet its obligations, and it has made a serious endeavour by attending all of the technical meetings. As a result four dossiers were closed by the Kuwaiti authorities after being discussed by Iraq on a previous occasion; the remains of one Kuwaiti who had been included in the number of the missing were handed over to his relatives; and Iraq is still seeking to close the dossiers on a number of missing Kuwaitis who were ascertained to have died in numerous incidents. It is regrettable, however, that the Kuwaiti regime is withholding its technical cooperation from

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the Iraqi authorities investigating the fate of its missing persons and is refusing to provide information that would facilitate the search. It has become clear to us that this regime is obstructing the work of the technical subcommittee for the political purposes revealed in the letter in question from the representative of Kuwait and as exemplified by the maintenance of the unjust embargo against Iraq even if that should mean prolonging the suffering of the families of missing Kuwaitis.

The assertion of the representative of Kuwait that Iraq refused to sign the minutes of the most recent meeting of the tripartite committee, that was held at Geneva on 7 April 1995, is completely devoid of truth. The actual state of affairs is that none of the parties signed the minutes, not even Kuwait, when the representative of Kuwait insisted on imposing political conditions that bore no relation to the humanitarian issue on which the meeting had been convened. ICRC, which chaired the session, thereupon suspended the meeting.

Since the work of the subcommittee began, the Kuwaiti regime has demonstrated that it is not interested in finding a solution to this humanitarian issue and it has, on the contrary, proceeded to politicize it and to give currency to misinformation and disinformation on the deliberations of the committee in a manner incompatible with the agreed rules relating to the tripartite committee. The most recent evidence that it is evading its responsibilities is perhaps its last-minute unilateral cancellation, without providing any justification, of a preparatory meeting that was to have been held at the Iraq-Kuwait boundary.

Iraq continues to cooperate with ICRC in seeking a speedy solution to this humanitarian issue on the basis of the customary international rules governing such activities, and it is ICRC that is in fact in the best position to determine whether, as the representative of Kuwait claims, Iraq is not cooperating with it.

2. Return of Kuwaiti property

The representative of Kuwait admits that Iraq is making a serious effort to close the file on this matter. He nevertheless seeks to disparage the major and genuine efforts that Iraq has been making to return the property in question, as witnessed by the report of the Secretary-General contained in document S/1994/243. The representative of Kuwait thereby seeks to arouse suspicion as to Iraq's intentions in this regard. I assure you, once again, that Iraq is prepared to return any item found that is proved to have belonged to Kuwait. As you know, through the United Nations coordinator for the return of property, the return of damaged military equipment began on 22 April 1995 and is still under way.

3. Other matters

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That the representative of Kuwait sees fit to introduce into his letter the matter of Security Council resolution 986 (1995) is an intentional manoeuvre and is intended to influence the members of the Council. Iraq's position with respect to that resolution has been enunciated in Iraq at all official and popular levels. The mention by the representative of Kuwait of the human suffering of the Iraqi people blatantly contradicts all of the policies and practices of his Government aimed at using all of its resources to promote the maintenance of the embargo against Iraq.

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

(Signed) Nizar HAMDOON  
Ambassador  
Permanent Representative

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