



Security Council

Distr.
GENERAL

S/1997/129
14 February 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 FEBRUARY 1997 FROM THE PERMANENT REPRESENTATIVE
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 12 February 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, in reply to a letter dated 2 January 1997 (S/1997/7) addressed to you by Mrs. Tansu Çiller, Minister for Foreign Affairs and Deputy Prime Minister of the Republic of Turkey, which seeks to justify acts of military aggression by Turkey in northern Iraq.

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

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 12 February 1997 from the Minister for Foreign
Affairs of Iraq addressed to the Secretary-General

With reference to the letter dated 2 January 1997 (S/1997/7), addressed to you by Mrs. Tansu Çiller, Minister for Foreign Affairs and Deputy Prime Minister of Turkey, I should like to bring to your attention the following:

No one disputes that our Turkish neighbour has stood and continues to stand for Iraq's rights as a sovereign State and neighbour at international forums, and that it stands for the preservation of the independence, sovereignty and territorial integrity of Iraq. However, the actions of Turkish armed forces on the ground, with shelling of the villages and towns of northern Iraq, are a flagrant violation of Iraqi sovereignty and the inviolability of its territory and airspace, just as they are incompatible with the principles and objectives of Turkish foreign policy referred to in the letter from Mrs. Tansu Çiller, Deputy Prime Minister and Minister for Foreign Affairs of Turkey. These practices are also incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. They also undermine stability in the region as a whole.

The excuses contained in the letter from the Minister for Foreign Affairs of Turkey to justify acts of aggression by Turkey in northern Iraq do not stand up to scrutiny. The Turkish Government is responsible for the absence of the rule of law in northern Iraq, by virtue of its complicity in the maintenance of the anomalous situation created by the United States of America and its allies in northern Iraq. This allows it both to undertake hostile military incursions into Iraqi territory and to prevent the Iraqi Government from re-establishing national control over the area. The Turkish Government cannot justify its practices by citing the principle of the need for or legitimate right to self-defence, since it has itself directly and actively contributed to the creation and perpetuation of the anomalous situation in northern Iraq, despite the numerous statements and appeals by Turkish officials calling for an end to that situation.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations of good-neighbourliness and mutual respect for sovereignty, which Iraq holds dear, and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries, and their desire to establish security and stability in the region, in accordance with the aspirations of the people of both countries to prosperity and progress.

As, through you, I reiterate my country's call to its Turkish neighbours to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter

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and that it will halt the intimidation and aggression to which my country is constantly being subjected.

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

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq
