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LETTER DATED 26 MAY 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 25 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns the fact that the United States of America has placed on hold more than 40 contracts for the supply of drugs submitted under the terms of Security Council resolution 986 (1995). It has done so on the pretext that the contracts in question are not included in the categorized list annexed to the distribution plan, ignoring the fact that the list gives the generic names of drugs and the contracts give both trade names and generic names. This confirms that the purpose of placing these contracts on hold is to prevent thousands of sick children, older persons and women from obtaining the drugs they need.

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
Permanent Representative

Annex

Letter dated 25 May 1997 from the Minister for Foreign
Affairs of Iraq addressed to the Secretary-General

I should like to inform you that the representative of the United States of America in the Security Council Committee established by resolution 661 (1990) has placed on hold more than 40 of the contracts for the supply of drugs to the Iraqi Ministry of Health that have been submitted by foreign companies through their countries' permanent missions in New York to the secretariat of the 661 Committee. He has done so on the pretext that the drugs ordered are not included in the categorized list of items annexed to the purchase and distribution plan approved by the Secretary-General.

I should like to acquaint you with the facts of the matter, which are as follows:

The categorized list of items drawn up by the Iraqi Ministry of Health, working jointly and in coordination with the office of the World Health Organization in Baghdad, was drafted using the generic names of drugs rather than their trade names. This was done for practical reasons, including a desire to allow the Ministry a high degree of flexibility in securing numerous and diverse offers from a variety of sources, at competitive prices and on the customary commercial terms, and in order to avoid being restricted to a single brand name under which all our requirements for a particular item might not be available within the period the Memorandum of Understanding is in effect. The contracts concluded nevertheless included the generic name of the drug in question as well as the trade name in order to facilitate reference and scrutiny by the experts and members of the 661 Committee. An indication of this is that the representative of the United States in the Committee lifted the hold placed on contracts Nos. 202, 227, 229, 236, 318 and 387 after we had provided the above clarifications to the Committee's experts in writing or by means of oral explanations given by our Permanent Mission in New York.

In his summary presentation to the Security Council on 22 May 1997, Mr. Yasushi Akashi, Under-Secretary-General for Humanitarian Affairs, referred to the disgraceful state of the hospitals he visited, without prior arrangement, in Baghdad and Mosul during his visit to Iraq from 3 to 9 May 1997. Mr. Nakajima, Director-General of WHO, in a statement issued after his visit to Iraq, also said that the country's health system was on the verge of collapse. These facts have not been enough to persuade the representative of the United States of America to desist from using irresponsible methods to prevent thousands of sick children, older persons and women from obtaining the drugs they need to alleviate the suffering brought on by the diseases they have contracted as a result of the maintenance of the unjust embargo against Iraq, which has taken on a political and biased character and which has the goal of undermining the national political regime in Iraq.

I request that you intervene personally, as is required of you in accordance with your responsibilities under the Charter and the provisions of

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resolution 986 (1995), so that an expeditious solution to this humanitarian issue may be found.

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
