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LETTER DATED 8 NOVEMBER 1988 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 the text of a memorandum dated 8 November 1988 from the Ministry of Foreign Affairs of the Republic of Iraq concerning the question of prisoners. The memorandum was handed by Mr. Tariq Aziz, Deputy Prime Minister and Minister for Foreign Affairs, to the President of the International Committee of the Red Cross.

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

(Signed) Sabah Talat KADRAT
Chargé d'affaires a.i.

Annex

Memorandum dated 8 November 1988 from the Ministry of Foreign
Affairs of Iraq addressed to the International Committee of
the Red Cross

The Ministry of Foreign Affairs presents its compliments to the International Committee of the Red Cross (ICRC) and, further to its memorandum of 17 October 1988, in confirmation of the Iraqi Government's agreement to the proposal made by ICRC in its memorandum of 4 October 1988 to begin the process of returning prisoners of war to their home countries in accordance with the obligations set forth in article 118 of the 1949 Geneva Convention relative to the Treatment of Prisoners of War, and with reference to the meeting held by the Minister for Foreign Affairs, members of the Iraqi delegation and the President of ICRC on 2 November 1988, has the honour to inform the Committee of the following:

1. The Iraqi Government, for humanitarian reasons and in conformity with the 1949 Geneva Convention relative to the Treatment of Prisoners of War, is prepared to begin immediately the return of all (currently confirmed) sick and injured prisoners to their home countries - there being 411 such Iranian prisoners in Iraq and 1,115 such Iraqi prisoners in Iran - if the Iranian Government is in agreement with this proposal.
2. The Iraqi Government confirms at the same time that it will begin immediately to return currently registered prisoners to their home countries, at a rate to be agreed upon.
3. The Iraqi Government affirms the need immediately to commence the registration of non-registered prisoners in accordance with the arrangements proposed by ICRC, to exchange lists of their names and to return them to their home countries in the framework of a comprehensive exchange, priority being accorded to the registration and exchange of sick and injured prisoners.

The Iraqi Government's position in being the first to agree immediately to begin the return of all those prisoners who are confirmed to be sick or injured, until such time as all prisoners are completely identified and registered and returned to their home countries, constitutes a humanitarian initiative in conformity with the provisions of the 1949 Geneva Convention relative to the Treatment of Prisoners of War and is designed to put an end to their sufferings, and to the anxiety of their families, following the effective conclusion of hostilities.

The Ministry wishes to emphasize, on behalf of the Iraqi Government, that a start on the exchange of this very limited number of prisoners should not be used by Iran as an excuse to delay the process of a comprehensive exchange under the terms of the Geneva Convention, given that more than 100,000 prisoners on both sides are continuing to suffer in captivity despite the effective conclusion of hostilities on 20 August 1988.

The Ministry takes this opportunity to convey to ICRC the assurances of its highest consideration.