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ORIGINAL: ARABICLETTER DATED 24 NOVEMBER 1988 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 inform you that an official spokesman of the Ministry of Foreign Affairs of Iraq made the following statement today:

An agreement was concluded at Geneva between Iraq and Iran and the International Committee of the Red Cross on the exchange of sick or wounded prisoners of war, whose names are on the Red Cross list, namely, 1,158 prisoners in Iran and 411 in Iraq, it being understood that, after this operation, the names of the other sick or wounded prisoners would be added to the list before 31 December 1988 and that they would be exchanged.

It was also agreed with the International Committee of the Red Cross that this group of sick or wounded prisoners would be exchanged in daily contingents, on a proportional basis and on the principle of reciprocity, i.e. 115 prisoners from Iran and 41 from Iraq.

This exchange was scheduled to start on 22 November, but the Iranian authorities postponed it until 24 November. The first Red Cross aircraft arrived today in Baghdad with only 52 prisoners on board instead of the 115 expected. According to Red Cross representatives, the Iranian party made a great many excuses. Iraq wishes to point out that it categorically rejects them.

In accordance with the rule of proportionality and the principle of reciprocity agreed upon, Iraq will release only 19 sick or wounded prisoners instead of the 41 planned, and will continue in this way so long as the Iranian authorities do not comply strictly with the terms of the agreement concluded with the International Committee of the Red Cross.

The behaviour of Iran in this affair illustrates its characteristic trickery and blackmail with regard both to the issue of the prisoners and to other issues connected with the conflict. Iraq, which has demonstrated its honesty and has acted in a straightforward manner and in good faith in this humanitarian matter, cannot compromise on the rights of Iraqi prisoners. On this point, the spokesman

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asked the international community to exert pressure on the Iranian régime in order to induce it to renounce trickery and blackmail, to honour its commitments and to comply with international humanitarian law, which specifically provides for the exchange of all prisoners, a condition that Iran has not yet accepted.

The Iraqi Government hopes that the Secretary-General will take all necessary steps to induce Iran to honour its commitments regarding the release and exchange of detainees in accordance with the third Geneva Convention relative to the Treatment of Prisoners of War of 1949 which, in its article 118, provides for the release of prisoners of war and their repatriation without delay after the cessation of active hostilities, a provision endorsed in paragraph 3 of Security Council resolution 598 (1987).

Compliance with that commitment is all the more essential because, as has been pointed out, it is motivated by both humanitarian and legal considerations.

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

(Signed) Ismat KITTANI
Permanent Representative

