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LETTER DATED 7 DECEMBER 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 transmit to you herewith a letter dated 6 December 1988 from Dr. Akram al-Witri, President of the Iraqi Standing Committee for War Victims, addressed to Mr. Cornelio Somarruga, President of the International Committee of the Red Cross, concerning prisoners of war.

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

(Signed) Ismat KITTANI
Permanent Representative

Annex

I have the honour to inform you that the letter addressed to you by the Minister for Foreign Affairs of Iran on 29 November 1988 concerning the exchange of sick and wounded prisoners of war has been brought to our attention. It must be clear to you that the said letter contains falsehoods and fabrications by means of which the Iranian Minister alleges that it is Iraq which has violated the agreement on the exchange of sick and wounded prisoners of war whose names are registered with the International Committee of the Red Cross, signed at Geneva on 11 November 1988. This manoeuvre reflects the approach adopted by the Iranian régime, namely that of engaging in lying and duplicity and misleading Iranian and world public opinion.

You are aware of the fact that it was the Iranian authorities which violated the agreement in the first instance by deliberately delaying the beginning of the exchange for a two-day period and then by proceeding, with manifest trickery, to reduce the actual figures agreed upon for each batch of sick and wounded prisoners to be handed over by Iran under the terms of the agreement, namely 115 per day, to less than one half (52 and 51), fabricating in the process completely illegal excuses by which it claimed to have released some of them and that others were recuperating, without presenting any documents in support of those pretexts. By this action, Iran has the intention of equalizing the exchange as far as the figures are concerned (52 as against 41), while the agreement was based on the exchange of all sick and wounded prisoners without consideration of their number.

As we have stated, the Iranian authorities have produced no official written documents in support of the excuses advanced. Those excuses have not been endorsed by the International Committee of the Red Cross, and ICRC has not been allowed to interview the prisoners that Iran claims to have released, in contravention of the Geneva Convention. We have therefore requested ICRC to furnish us with the necessary documents proving that some of the sick and wounded prisoners have been released and that others are recovering from serious and chronic conditions, as laid down in annex I to the 1949 Geneva Convention relative to the Treatment of Prisoners of War. We have also requested that Iran should abide by the agreed number of sick and wounded Iraqi prisoners to be handed over in accordance with the agreement signed by the Iranian side, so that Iraq might reciprocate by repatriating a corresponding number.

The Iranian authorities, after we had demanded to be provided with official documents relating to the fact that more than one half of the sick and wounded prisoners to be repatriated each day were missing, decided, in violation of the agreement, to halt the exchange of sick and wounded prisoners on the disclosure of the duplicitous action in which they were engaged. They must therefore bear full responsibility for that decision.

The Government of the Republic of Iraq, while once again reiterating its complete readiness to abide by the agreement relating to the exchange of sick and wounded prisoners with respect to the numbers stipulated therein, calls upon the International Committee of the Red Cross, the United Nations and the international

community to bring pressure to bear on Iran to adhere to the agreement on the matter that it signed at Geneva, to desist from treating this humanitarian issue in a duplicitous manner with the intention of using the prisoners as a political playing card, to proceed forthwith to the complete and comprehensive exchange of all prisoners of war, and to repatriate those prisoners and put an end to their suffering and the anxiety of their families, all in accordance with the third Geneva Convention relative to the Treatment of Prisoners of War of 1949.

(Signed) Dr. Akram AL-WITRI
President, Standing Committee
for War Victims
