



Security Council

Distr.  
GENERAL

S/20801  
22 August 1989  
ENGLISH  
ORIGINAL: ARABIC

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LETTER DATED 22 AUGUST 1989 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 herewith the comments of Mr. Tariq Aziz, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Iraq, on the statement issued by you on the first anniversary of the cease-fire.

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

(Signed) Ali Mahmoud SUMAIDA  
Ambassador  
Chargé d'affaires a.i.

Annex

Letter dated 22 August 1989 from the Deputy Prime Minister  
and Minister for Foreign Affairs of Iraq addressed to the  
Secretary-General

I have read the statement issued by you on 18 August 1989 on the occasion of the first anniversary of the entry into force of the cease-fire between Iraq and Iran. Since it is Iraq's constant concern to address itself with sincerity and responsibility to the cause of peace, of which the issues raised in your statement form a part, I should like to make a number of comments that I think require to be stressed.

You are well aware that Iraq shares your regret that no serious steps have thus far been taken for the implementation of Security Council resolution 598 (1987) as a comprehensive peace plan other than the entry into force of the cease-fire and its remaining in place, in the sense of a discontinuation of shooting, up to the present time. We have shared with you this feeling and this estimation in all of the talks we have had with you and in the meetings held under your auspices with the Iranian side. In our joint talks with you over the past year, which have been characterized by frankness and mutual confidence, we have arrived at a common conclusion. It is that the major obstacle that has prevented, and that continues to prevent, any tangible progress towards the implementation of the resolution as a peace plan is the refusal of the Iranian side to comply with the letter and spirit of the agreement of 8 August 1988, which was reached by us with the Iranian side under your auspices and on the basis of which it was agreed that the cease-fire should enter into force on 20 August 1988 and that negotiations should begin.

At our last meeting, held at Rome on 6 July 1989, we also reached the common conclusion that it was of the utmost necessity to press the Iranian side to abandon the position it had adopted and to urge it to enter into direct and genuine negotiations with a view to the implementation of resolution 598. I recall that, in the course of that meeting, you informed me that you had unequivocally stated as much at your previous meeting with the Iranian side at Geneva and that you had told the Iranians that they must sit down together with the Iraqi side with or without the presence of the Secretary-General. You will recall that, in the presence of your assistants and your Personal Representative, Ambassador Eliasson, I assured you that Iraq wished the Secretary-General to be present and to sponsor such direct negotiations. The matter at hand is, after all, the implementation of a peace plan adopted by the United Nations, through the Security Council, and we wish the United Nations to sponsor the peace process and to guarantee the agreements arrived at by the two sides. The two countries, and all the countries of the region, might thus attain a durable and comprehensive peace under United Nations auspices and for which the United Nations would provide the necessary guarantees against its violation and a return of tension, instability and war to the region.

I would greatly have wished that your statement on this historic occasion had addressed these matters, matters which we have jointly considered as essential. Peace, as you know from your experience as Secretary-General of the United Nations, is not a matter of a "mechanism" or "steps" alone. Mechanisms and steps are undoubtedly required, but more important and more valuable are the accord reached by the parties concerned and that common understanding between them of the issues posed which facilitates the elaboration of mechanisms and the adoption of steps and endows them with a genuine meaning that strengthens the cause of peace and provides the prerequisites for its honest and serious achievement. Mechanisms and steps that are not based on accord and common understanding between the parties concerned may be violated, just as there can be duplicity with regard to their particulars and they can be given a variety of interpretations. As Secretary-General of the United Nations, you have seen many typical examples where agreements have been concluded and mechanisms elaborated but where violations have not ceased and conflict has not been halted. From the outset, we have been wary of such an eventuality. It was on that basis that we reached the historic agreement of 8 August 1988, which stipulated the importance of reaching a common understanding of the provisions of resolution 598 and of the procedures and timings for its implementation. As the author of that agreement, Mr. Secretary-General, you will note, as we note, that common understanding precedes the elaboration of procedures and timings relating to that agreement, and it is altogether logical that that should be so.

It struck my attention that you said in your statement that resolution 598 cannot be renegotiated, but that you said this without indicating which party it is that understands the matter in that sense. I find it necessary to recall Iraq's position, as it really is, in order to prevent any confusion. I remember well that, since the time I delivered the position of the Iraqi side with respect to resolution 598, in your office on the evening of 23 July 1987, and up to the last meeting held by us at Rome on 6 July 1989, neither the statements made by the Iraqi side nor the documents addressed to you by us contained any such import, either directly or implicitly. I have to tell you that it is the Iranian side that requires to have resolution 598 explained to it in its true sense as a peace plan. Since the adoption of resolution 598 on 22 July 1987 and up to today, the Iranian side has continued to be guilty of muddled thinking on the import and meaning of this historic resolution. We have no difficulty in understanding the reasons for this distortion, since the Iranian side did not want the resolution at all. You will recall that Iran's seat in the Security Council chamber was vacant when the resolution was adopted by the Council on 20 July 1987, while the representative of Iraq was present. You will also recall the stratagems employed by the Iranian side for a full year in order to evade compliance with resolution 598, the extraordinary and anomalous interpretations that it gave to its provisions and the even more anomalous priorities that it set for the implementation of those provisions. I am speaking only the truth when I assert that Iran only accepted resolution 598, in the hurried manner that it did so on 18 July 1988, when its aggressive military plan had been roundly defeated.

I should also like to remind you that the agreement on the cease-fire only became possible with the historic statement issued by President Saddam Hussein on 6 August 1988. On the same day, I informed you of the contents of that statement

by telephone while you were resting in the countryside near New York, and you returned to the city immediately and began the contacts that led to the agreement of 8 August 1988 and the de facto entry into force of the cease-fire on the same day and its entry into force de jure on 20 August 1988, in accordance with the agreement. In this connection, I can state without presumption that, in the history of the Iran-Iraq conflict there is no single position that can be recorded to the credit of Iran as serving the cause of peace. At the same time, you yourself know, as your assistants know, of the many Iraqi positions that strove sincerely to facilitate the task of peace, particularly the statement of President Saddam Hussein of 6 August 1988, issued as it was at a time when Iraq was at the pinnacle of its military triumph over Iranian aggression and occupation.

This honourable record of devotion to the cause of peace cannot be effaced. It is essential, out of fairness to the truth and to history, that this should be remembered by those who sincerely strive for peace. Once again, I must say that I might have wished that your statement had embraced the facts as they are. While I respect your diplomatic capacity and your concern, and that of your assistants, for a balancing of positions, an excess of such concern nevertheless leads at times to a deviation from the facts, which may not be conducive to the practical objectives you have in mind.

For example, can the balance reflected in your statement between the question of the presence of the forces along the cease-fire lines and that of the prisoners of war be justified? You are well aware of the true nature of the first question. You know that the present situation along the cease-fire lines cannot under any circumstances be characterized as "occupation". It is simply a presence arising out of the establishment of the cease-fire lines on the entry into force of the cease-fire on 20 August 1988. You are also well aware of the fact that the Iranian side has not thus far co-operated with you or with us in drawing up provisions and establishing commitments relating to the cease-fire, and that it has not thus far entered into direct and serious talks with you or with us in order to address this and other issues. You also know that the Iranian side is inflating this matter artificially in order to evade a determination of commitments under resolution 598 and the question of peace as a whole, and that it does not speak of such commitments in unequivocal and responsible language. It thereby arouses in us the gravest doubts as to whether its sole concern is not to remain in a situation of no-war and no-peace, but from positions which are to its greater advantage. I must here place on record, for the sake of history alone rather than for any other purpose, that after the adoption of resolution 598 in July 1987, while Iran was refusing to accept a cease-fire and was occupying Iraqi towns and villages, extensive parts and strategic areas of Iraqi territory, and while it was shamelessly proclaiming its "liberation" of those areas and using them as staging points for further invasion and expansion against Iraq and against the neighbouring countries, you yourself did not give this question the same priority as you give to it in your statement of 18 August 1989 and that the matter was mentioned in the written proposals made by you at that time with a level of priority that was not of the first order. The order of the provisions of resolution 598 was also rearranged in accordance with erroneous and short-sighted estimations of balances of strength and weakness as between the two parties. It might be useful for your assistants to review the previous documentation relating to this subject, which was prepared in your office in the autumn and winter of 1987 and the spring of 1988, before Iraq

itself undertook to liberate its occupied territories between April and July 1988, thus making the cease-fire possible. The adherence of the United Nations to its assessment of priorities in matters relating to conflicts is an important ethical question, of which I think you are well aware.

Do you not feel, Mr. Secretary-General, as I do, that mention of the question of prisoners of war in your statement, made on the basis of a principle of balance that is imperfect and lacks objectivity, only gives the Iranian side a pretext for persisting in its position of holding those prisoners hostage to the political process, which is precisely what you criticize in your statement?

You are aware that the prisoner-of-war question is governed by international law and international agreements. The matter has clear precedents. If it were not for the desire of the Iranian side to use this question for purposes of political blackmail, it would have been resolved directly on the entry into force of the cease-fire.

I raise this question in the event that it might prove useful to you in considering the situation.

Mr. Secretary-General,

Once again, I assure you of Iraq's concern for the implementation of resolution 598 as a peace plan. Such an outcome fully reflects Iraq's basic interests and its wishes for peace and stability for itself and for all countries of the region. It is my belief, and you have shared this belief with us in the past, that the step required is direct and genuine negotiations, to begin without delay, under your auspices and with your participation and that of your assistants, with a view to reaching a common understanding of the remaining provisions of resolution 598 and of the procedures and timings relating to its implementation, precisely as stipulated in the agreement of 8 August 1988.

Accept, Sir, etc.

(Signed) Tariq AZIZ  
Deputy Prime Minister  
Minister for Foreign Affairs  
of the Republic of Iraq

