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OF THE ARMED CONFLICT BETWEEN
IRAN AND IRAQ

SECURITY COUNCIL
Fortieth year

Letter dated 21 February 1985 from the Permanent Representative
of Iraq to the United Nations addressed to the Secretary-General

Sir,

On instructions from my Government, I have the honour to set forth below the comments of the Government of the Republic of Iraq on the contents of the report of the United Nations team in Teheran concerning the inspection carried out by it on 7 and 8 January 1985 (S/16897). They should provide a response to the hallucination of the Iranian régime appearing in the letter dated 19 February 1985 addressed to you by the Permanent Representative of the Islamic Republic of Iran (A/39/870-S/16967).

It was stated in the report prepared by the United Nations team in Teheran concerning the inspection carried out by it on 7 and 8 January 1985 that there was no evidence in the villages of Bardieh and Dehlavieh or in their immediate vicinity of any industrial or military installations and that those villages were purely civilian centres.

In this connection, we wish to state the following:

1. The Iranian authorities have been using these two villages, in addition to the village of Alvaneh and other villages such as Soveibileh, Saddamiyeh, Sa'idiyeh, Bisitin and Hoveyzeh, as assembly areas for their regular military units and Khomeini's guard troops for the purpose of putting them into the front lines, which are approximately 5 to 20 kilometres away, in order to implement their hostile intentions of aggression against the sovereignty and territorial integrity of Iraq.

The Minister for Foreign Affairs of Iraq has already explained to the Secretary-General in his letter dated 27 June 1984, that the Iranian side uses purely civilian centres as centres for concentrating its forces, making them a point of departure for its attacks on Iraq. This clearly violates the agreement arrived at through the Secretary-General concerning avoidance of the bombardment of civilian centres and also violates article 28 of the fourth Geneva Convention, signed on 12 August 1949, relative to the protection of civilian persons, which prohibits the use of the presence of protected persons to render certain points or areas immune from military operations and turn such towns into military centres.

2. At the time, the competent Iraqi authorities were certain of the presence of Iranian military units in the areas where the inspection took place, for example: two armed brigades from the 16th division, three guard brigades from the Qods division, a brigade from the 25th Kerbala division and a number of heavy artillery units, as well as support and supply units and stores of matériel of the kind used especially to serve the war effort.

3. The presence of the forces referred to in the preceding paragraph around and in the vicinity of those villages places our defence positions within range of them, which threatens the peace and security of Iraq. What is stated in the team's report concerning the village of Alvaneh is consistent with this, which confirms that Iraqi activity in those areas has not been aimed at purely civilian villages and centres but has been directed at military units only.

4. The elapse of three to four days between the date of the alleged bombardment and the date of the United Nations team's inspection is a sufficient period for the withdrawal of any units from the area in question and the removal of all military signs.

5. The team reported that it saw some buildings of about five to six stories 1 km east of the village of Alvaneh but was not able to determine their use. The team should have made an effort to learn the nature of these buildings and their relation to military operations.

6. These villages are situated at a major road junction, which is used for military purposes for aggression against Iraq. This makes the region a target for continuing Iraqi bombardment, which is aimed at the roads and not at the villages themselves.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under agenda item 44, and of the Security Council.

(Signed) Riyadh M. S. AL-QAYSI
Permanent Representative
