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LETTER DATED 21 OCTOBER 1989 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 refer to the letter dated 13 October 1989 addressed to you by the Permanent Representative of the Islamic Republic of Iran (S/20900) in response to the letter dated 5 October 1989 addressed to you by the Minister for Foreign Affairs of my country (S/20888) and to state that the Iranian Government is continuing to pursue a policy of deception and to falsify the facts with regard to its position on the matter of the prisoners of war, imagining that this policy can mislead the international community.

The Iranian letter accuses Iraq of a campaign of exploitation of a humanitarian issue, namely the fate of the prisoners of war. It ignores a central fact that is well known to all Members of the United Nations, and particularly to the members of the Security Council, and that is that the letter in question from the Minister for Foreign Affairs of Iraq was addressed to the President of the Security Council in response to the concern felt by the Council on the matter of the prisoners of war and in order to reaffirm Iraq's readiness for an immediate beginning to be made on a full and complete exchange of prisoners of war, subject to the agreement thereto of Iran.

As is also well known, Iraq has affirmed this same position on numerous occasions since the cease-fire, in its correspondence with the International Committee of the Red Cross (ICRC) and with yourself and in the rounds of talks held with the Iranian side under your auspices, on the basis of the fact that active hostilities ceased with the entry into force of the cease-fire on 20 August 1988. The Iraqi position is the same as that urged by ICRC on numerous occasions since that time, most recently in the statement of its President at the press conference held by him at the United Nations on 13 October 1989. At that time, he stated in an unequivocal manner that the Geneva Convention relative to the Treatment of Prisoners of War, and in particular its article 118, clearly stipulated that, on the cessation of active hostilities, prisoners of war must be exchanged immediately and without delay, that ICRC considered that active hostilities had ceased and that an immediate exchange of prisoners should have taken place more than a year ago.

The position of the Iranian Government is directly contrary to this. It continues to refuse to release the prisoners, basing itself on pretexts which represent a flagrant violation of the provisions of the third Geneva Convention of

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1949 and introducing elements that have no relation to the matter, such as are contained in the Iranian letter in question, in order to dissemble its position of holding the prisoners hostage so as to achieve the political gains that the Iranian Government seeks in the negotiations.

Herein also lies the true reason for the Iranian Government's alarm at the position adopted by the members of the Security Council and by ICRC with regard to the fate of the prisoners of war and for its failure to comply with that position in violation of its international obligations under the third Geneva Convention of 1949.

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

(Signed) Abdul-Amir A. AL-ANBARI
Ambassador
Permanent Representative

