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LETTER DATED 5 FEBRUARY 1990 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, and with reference to the letter from the Permanent Representative of Iran to the United Nations contained in document S/21075, I have the honour to state that the aforesaid letter, like other Iranian letters, constitutes a glaring example of the attitude of falsification and deception adopted by Iranian officials when addressing issues relating to peace, and to draw your attention to the following points in particular:

I. In accordance with the persistent practice of Iranian official and media circles, the Iranian Permanent Representative is attempting to give a misleading impression of his country's position by saying that Iran has accepted all the Secretary-General's proposals, while Iraq has rejected them. We have already denounced this practice of deception, which conceals a position that is in fact highly suspicious. This same practice was used by the Iranian régime to evade Security Council resolutions throughout the eight years in which it stubbornly continued its war of aggression. It followed the same practice after the adoption of Security Council resolution 598 (1987) in order to avoid compliance with the resolution for one entire year. It has even followed that practice since adopting resolution 598 (1987), in circumstances that are familiar to all, in order to avoid both implementation of the resolution as a peace plan and the establishment of a comprehensive and durable peace between Iraq and Iran, and in the region as a whole.

The Iranian régime is endeavouring, by means of this practice of deception, to justify its suspicious determination to shirk genuine direct talks, which, apart from representing the only serious and practical way of bringing about peace, are obligatory under the terms of the agreement reached on 8 August 1988 between the two parties through the Secretary-General, i.e. the agreement on which the cease-fire was based. Iran has in no way complied with the agreement of 8 August 1988, because its objective was simply to ensure a cease-fire and a withdrawal, while using the other issues covered by the resolution to maintain the state of no war, no peace, to continue its pillage of the region and to threaten its security and stability. It is therefore refraining from committing itself to any definite and comprehensive position which would lead to a solution of the other issues and help to bring about a comprehensive peace between the two countries, and in the region as a whole, as is the intention of resolution 598 (1987). In his

blatant attempt to take shelter behind the role of the Secretary-General and the Secretary-General's proposals to facilitate the peace process, the Iranian Permanent Representative seeks to conceal this fact. He deliberately omits to mention that one of the principal objectives of the Secretary-General is to bring the conflicting parties to the negotiating table and to urge them to conclude a peace agreement. You will no doubt recall that, in your address to the opening session of the Ninth Summit Conference of the Movement of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, you urged all parties involved in international problems to sit down at the negotiating table and to endeavour to solve those problems by means of direct dialogue.

Iraq's position in calling for genuine direct talks and the achievement of a common understanding of the provisions of resolution 598 (1987) and of the procedures and timing relating to its implementation, and for the initiation of such implementation on the basis of a comprehensive settlement, derives from the following objective premises:

1. Both parties are bound by the agreement which they reached on 8 August 1988 under your auspices, and any infringement of that agreement demonstrates ill will and a reluctance to bring about peace.

2. As is well known, Iran has insisted on continuing its war of aggression against Iraq and has rejected all Security Council resolutions calling for a termination of the war by means of a peaceful, comprehensive, just, durable and honourable settlement of the conflict between the two countries. It has thwarted all efforts to attain that objective, making as it does so every manner of excuse in defiance of international law and adopting a selective approach in so far as that approach serves its policy of prolonging the war. Iran also refused to accept Security Council resolution 598 (1987) for approximately one year, describing it at the time in the most disgraceful terms and justifying its position with a series of false and misleading excuses which it did not hesitate to include in an official document of the Security Council (document S/18993 of 23 July 1987). We advise the Permanent Representative of Iran to refer to that document in order to refresh his memory and to wipe it clean of the dust which has settled on it. It is also a well-known fact that Iran agreed to resolution 598 (1987) only after the defeat of its military programme of aggression and expansion. The statements made by Iranian officials concerning acceptance of the resolution were filled with talk of urgent and compelling circumstances whose reasons they could not reveal, as well as of their sadness and disappointment at those compelling circumstances.

3. The idea of the settlement is that it should be comprehensive and balanced with respect to the different elements of paragraph 1, on the one hand, and to the relationship between the various paragraphs, on the other. If the comprehensive settlement is to be successful in bringing about peace, it must, from the practical point of view, include agreement on the adoption of a single approach to discussion of the different elements of the settlement, in accordance with the mechanics of the 8 August agreement and on the understanding that resolution 598 (1987) is a peace plan.

In view of the above, there can be no justification for minor or partial settlements, nor for interim solutions, as promoted by the Iranian régime, because they do not afford any guarantee of a comprehensive, durable, just and honourable peace to end the conflict. This is Iraq's position and it is, in reality, a responsible and logical position. Iran has countered this Iraqi position with approaches based on subterfuge and selectivity, confusing the sequence and the settlement with a view to ensuring that its interests are met without acknowledging anything that would meet the interests of Iraq.

II. The Iranian letter deals in two paragraphs with the peace initiative announced by Mr. Saddam Hussein, President of the Republic of Iraq, on 5 January 1990. It describes the initiative in tendentious terms that are entirely inconsistent with its actual reception by the international community, which accorded it high esteem and treated it as a noble initiative and sincere expression of a desire to bring about peace, build confidence and establish good-neighbourly relations between the two countries. This is a further indication of Iran's lack of good intentions, as the principal issue at stake is not the launching of a propaganda war on false premises. The main objective is to seek specific means of bringing about peace, and this is the intention behind the Iraqi initiative. The language used by the Iranian Permanent Representative provides conclusive evidence of his ill will and irresponsibility.

III. It is disgraceful that the Permanent Representative of Iran should venture to speak of the fate of prisoners of war and describe his Government's proposal to make their release simultaneous with a withdrawal as "practical and reasonable". The Iranian Permanent Representative must realize that his Government's position with respect to the tragedy of the prisoners of war is no longer a secret to anyone. It is an opportunistic and scandalous position which causes tens of thousands of Iranian and Iraqi prisoners to remain hostage to political negotiations, in flagrant violation of the international humanitarian law enshrined in the third Geneva Convention of 1949. Paragraph 3 of resolution 598 (1987), which quotes directly from article 118 of the said Convention, provides for the release of prisoners of war without delay after the cessation of active hostilities. Accordingly, the question of prisoners of war must be addressed independently of any other question subject to the provisions of resolution 598 (1987). As everyone is aware, the International Committee of the Red Cross has on many occasions declared that active hostilities finished when the cease-fire came into effect on 20 August 1988 and that agreement on the subject of prisoners is independent from any other consideration. Iraq has since that time on more than one occasion declared its absolute willingness to carry out a comprehensive exchange of prisoners, the last occasion being that of the initiative of Mr. Saddam Hussein, President of the Republic of Iraq. The prisoner initiatives to which the Permanent Representative of Iran refers cover only a tiny number of prisoners (50 out of a total of over 100,000, with Iraq releasing 20 Iranian prisoners in return). Iraq, for its part, has not hesitated to take similar initiatives, with the essential difference that what Iraq announces in this connection is carried out without fraud or deceit, whereas the Iranian authorities do resort to such fraud and deceit and beat the drums of propaganda as they bargain over human bodies. In this respect, I should like to refer to the Iraqi letters addressed to you on 28 November 1988 and 22 February 1989 (documents S/20298 and S/20478 respectively).

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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

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