



Security Council

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ORIGINAL: ARABIC/ENGLISHLETTER DATED 10 JULY 1985 FROM THE PERMANENT REPRESENTATIVE
OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to inform you of the following.

On 20 June 1985, the Iranian navy intercepted the commercial vessel Al-Muharrag in international waters south of the Strait of Hormuz. The vessel, flying the Kuwaiti flag, was en route from Europe to several ports in the Gulf. Subsequently, the Iranian navy boarded the vessel and ordered a diversion of its course towards the Iranian port of Bandar Abbas, where it remained impounded. The text of the communiqué issued on the incident by the United Arab Shipping Company, owner of the vessel in question, is enclosed herewith.

The Gulf Co-operation Council studied the matter at its latest ministerial meeting, held on 9 July 1985 at Riyadh, Saudi Arabia. In a resolution adopted on the issue, the Council decided that the Iranian action constituted a flagrant violation of international law concerning navigation on the high seas as well as freedom of navigation in international waterways. The Council affirmed that the safeguarding of navigation in international waterways was not the sole responsibility of its members but was also that of all States and the entire international community. It decided to take all legal measures for the protection of the interests of the member States.

This action by the Iranian authorities represents a flagrant violation of Security Council resolution 552 (1984).

In conclusion, I would appreciate that this letter and the text of the communiqué be distributed as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative

Annex

Communiqué issued by the Board of Directors of the United Arab Shipping Company

[Original: Arabic]

Subsequent to the communiqué issued by the United Arab Shipping Company concerning the impounding of the vessel Al-Muharrag by the Iranian authorities, which has been dealt with by the local and the international press since the impounding on 20 June 1985 up to the time of the preparation of this communiqué; subsequent also to the communications with official and quasi-official authorities carried out by the Company from the beginning up to the present date; and in view of the failure of the Iranian authorities to date to release the vessel and its crew and cargo, the Board of Directors of the United Arab Shipping Company has decided to issue the following communiqué to the official authorities and international associations and bodies:

The general cargo vessel Al-Muharrag, which flies the flag of the State of Kuwait and belongs to the United Arab Shipping Company was proceeding on regular commercial voyage No. 54 from European ports to a number of Arabian Gulf ports and was carrying 10,500 tons of miscellaneous general cargo, as follows:

1. Abu Dhabi port: 903 tons of construction materials, tyres, metal cables and a boat;
2. Dubai port: 1,458 tons of copper and iron cables and general goods;
3. Doha port: 606 tons of iron girders, tyres and construction materials;
4. Dammam port: 1,427 tons of construction materials, iron and pumps;
5. Kuwait port: 3,049 tons made up of a fork-lift, barrels of machine oil, cables;
6. Kuwait port: 2,856 tons (transit cargo) of railway rails and fittings.

While the vessel Al-Muharrag was sailing in international waters south of the Strait of Hormuz on the afternoon of Thursday, 20 June 1985, the Iranian navy began to follow it and contacted it asking its name, nationality, cargo and route.

The captain of the vessel replied to all the questions, but the Iranian navy continued to follow the vessel and ordered it to divert its course eastwards and to come to a halt. However, the captain of the vessel refused to change its course and halted the vessel. That occurred at the maritime location 26.09' north latitude and 56.51' east longitude, at a distance of 22 nautical miles (equivalent to approximately 40 kilometres) south of the Strait of Hormuz in international waters.

The captain of the vessel contacted the Company's Director of Operations at the Company's headquarters in Kuwait and notified him that members of the Iranian navy were about to come aboard the vessel.

Contact with the vessel was broken off at precisely 0024 hours on the morning of Friday, 21 June 1985.

The vessel Al-Muharrag was led to the Iranian port of Bandar Abbas, its crew consisting of 13 naval officers, as follows:

- (a) Nine British nationals;
- (b) Two Jordanian nationals;
- (c) One Iraqi national;
- (d) One Pakistani national;

as well as 22 seamen from Bangladesh.

The vessel Al-Muharrag, which remains impounded with its crew and cargo by the Iranian authorities, is one of the vessels of the fleet of the United Arab Shipping Company, which serves international trade to the region by facilitating legitimate commercial voyages in accordance with international laws and custom. The Company does not participate in the transportation of any materials or goods bearing any relation to the current war between Iraq and Iran. The vessel Al-Muharrag on the voyage in question was not carrying any goods bearing any relation to the war, in accordance with the Company's policy in this regard.

The Board of Directors of the Company considers that there is no justification or reason for the impounding of the vessel and, in condemning this incident, which is regarded as in violation of international laws and customs, places this matter before all international bodies and organizations and appeals to them to take effective steps and adopt effective positions that will ensure the freedom and safety of international navigation in the region.

