

Report for Congress

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Iraq-Kuwait: United Nations Security Council Resolutions Texts – 1992-2002

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Specialist in International Relations
Foreign Affairs, Defense, and Trade Division

Iraq-Kuwait: United Nations Security Council Resolutions Texts – 1992-2002

Summary

The United Nations Security Council has adopted 39 resolutions relating to the Iraq-Kuwait situation since the end of 1991. This report lists these 39 resolutions, provides the Security Council vote on each, and sets out the complete text of each resolution. In addition, a number of relevant U.N. documents are included. The texts of the 24 resolutions adopted in 1990 and 1991 may be found in two CRS reports, 90-513 and 91-395. This report will not be updated. A new report will be issued for resolutions adopted on Iraq by the U.N. Security Council in 2003 and thereafter.

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[Extension of Iraq oil-for-food program for an additional 180 days; new export control system on Iraq adopted, with a Goods Review List (a pre-agreed upon list of items that require additional scrutiny). U.N. export controls on purely civilian goods were lifted.]	
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[Decision to give Iraq which “has been and remains in material breach” of U.N. resolutions, “a final opportunity to comply with its disarmament obligations” and to set up “an enhanced inspection regime.” Decided that Iraq “shall provide...a currently accurate, full, and complete declaration of all aspects of its programs to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems” by December 8. Decided that “false statements or omissions in the declarations submitted” and “failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution shall constitute a further material breach” and “will be reported to the Council for assessment.” Decided that Iraq “shall provide...immediate, unimpeded, unconditional, and unrestricted access to any and all, including underground, areas, facilities, buildings, equipment, records, and means of transport which they wish to inspect, as well as immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview....” Directed UNMOVIC and IAEA to “report immediately to the Council any interference by Iraq with inspection activities, as well as any failure by Iraq to comply with its disarmament obligations.” Decided the Council would “convene immediately upon receipt of a report” relating to Iraqi noncompliance and recalled, “in that context, that	

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S/2002/1242 179
Letter dated 13 November 2002 from the Secretary-General addressed to the President of the Security Council conveying a response from the Minister for Foreign Affairs of the Republic of Iraq: “we hereby inform you that we will deal with resolution 1441 (2002)” and “we are ready to receive the inspectors so that they can perform their duties.”

S/2002/1294 186
Letter dated 25 November 2002 from the Secretary-General addressed to the President of the Security Council, conveying a letter, dated 23 November 2002, from the Minister for Foreign Affairs of the Republic of Iraq, placing “on record our observations on the provisions, allegations and measures contained in” Council Resolution 1441 (2002) “that are inconsistent with international law, the Charter of the United Nations,...

S/RES/1443 (2002) 198
[Oil-for-food program extended for nine days, ending December 4, 2002]

S/RES/1447 (2002) 119
[Oil-for-food program extended for 180 days, with adjustments to the Goods Review List and to procedures for its implementation to be made no later than January 4, 2003]

S/RES/1454 (2002) 201
[Adjustments in the biological, chemical, and missile-related areas of the Goods Review List approved]

Iraq-Kuwait: United Nations Security Council Resolutions Texts – 1992-2002

Introduction

Between August 1-2, 1990, when Iraq invaded Kuwait, and the end of 1991, by which time Iraq had been pushed out of Kuwait, the United Nations Security Council adopted 24 resolutions related to the crisis. The 1990 resolutions aimed at Iraqi withdrawal from Kuwait and the formulation of steps to expedite that withdrawal. The texts of those resolutions may be found in CRS Report 90-513, *Iraq-Kuwait: U.N. Security Council Resolutions—Texts and Votes*. Updated December 4, 1990. The 1991 resolutions dealt with the cessation of hostilities, the cease-fire, and steps to carry out the various aspects of the cease-fire resolution. The texts of those resolutions may be found in CRS Report 91-395, *Iraq-Kuwait: U.N. Security Council Resolutions, Texts and Votes—1991*. Updated October 25, 1991.

Between 1992 and the end of 2002, the U.N. Security Council adopted 39 additional resolutions, that were approved unanimously in all but seven instances. The numbers, dates, and votes for each resolution are listed below, followed by the full text of each resolution. Each vote is given in the following order: the number of countries voting in favor, the number opposed, and the number that abstained.

In addition, a number of relevant U.N. documents that are not resolutions are included: two letters referred to in S/RES/1060 (1996), along with Iraq's comments and the February 1998 Memorandum of Understanding between the United Nations and Iraq on special procedures for inspection of eight presidential sites in Iraq (inserted after S/RES/1154 (1998)). The report of the U.N. Technical Mission to survey presidential sites in Iraq and the text of the procedures to be followed for those sites are also included. Finally, Iraq's "acceptance" of S/RES/1441 (2002), Iraq's additional letter of November 23, 2002, on S/RES/1441 (2002), and the joint statement by China, France, and the Russian Federation on this resolution can be found after the resolution.

Unlike the CRS compilations of U.N. Council resolutions for 1990 and 1991, the texts of these 39 resolutions are not photocopies of the actual U.N.-published resolution. The texts were taken from the United Nations web page at [<http://www.un.org/documents/scres.htm>]. This site provides the texts of Council resolutions in varying formats from 1946 to date. One difference between the composite and published formats for resolutions adopted between 1994 and 1996 is the omission of underlining (1) of the Adopted line under the Resolution number, (2) under the words *The Security Council*, and (3) under the first words in the preambular and operative or numbered paragraphs. The on-line texts of resolutions

for 1997 and 1998 include appropriate underlining. The reader may see differences between the resolutions before April 1998 and those adopted after that date.

List of Resolutions and Votes

- **S/RES/773 (1992), 26 August 1992**
[Iraq-Kuwait Boundary Commission decisions welcomed]
Vote: 14-0-1 (Ecuador)
- **S/RES/778 (1992), 2 October 1992**
[Transfer required of foreign-held Iraqi funds from sale of Iraqi petroleum products to U.N. Escrow Account]
Vote: 14-0-1 (China)
- **S/RES/806 (1993), 5 February 1993**
[U.N. Iraq-Kuwait Observer Mission expanded, both in mandate and size]
Vote: 15-0-0
- **S/RES/833 (1993), 27 May 1993**
[Iraq-Kuwait Boundary Commission report accepted and border guaranteed]
Vote: 15-0-0
- **S/RES/899 (1994), 4 March 1994**
[Payment approved for compensation to Iraqi private citizens who were displaced from Kuwait by demarcation of the Iraq-Kuwait border]
Vote: 15-0-0
- **S/RES/949 (1994), 15 October 1994**
[Immediate withdrawal demanded of all military units deployed by Iraq to southern Iraq]
Vote: 15-0-0
- **S/RES/986 (1995), 14 April 1995**
[Import of petroleum and petroleum products of Iraqi origin authorized as a temporary measure for humanitarian needs of Iraqi people]
Vote: 15-0-0
- **S/RES/1051 (1996), 27 March 1996**
[Mechanism approved for monitoring Iraqi imports and exports relating to weapons of mass destruction]
Vote: 15-0-0
- **S/RES/1060 (1996), 12 June 1996**
[Refusal of Iraq to allow access by U.N. Special Commission (UNSCOM) on the destruction of weapons of mass destruction deplored and access demanded]
Vote: 15-0-0
- **S/RES/1111 (1997), 4 June 1997**
[Extension of Iraq oil-for-food arrangement for another 180 days]
Vote: 15-0-0

- **S/RES/1115 (1997), 21 June 1997**
[Repeated refusal to allow access condemned and unconditional access demanded for U.N. Special Commission (UNSCOM) inspectors in Iraq]
Vote: 15-0-0
- **S/RES/1129 (1997), 12 September 1997**
[Change in Iraq oil-for-food arrangement]
Vote: 14-0-1 (Russian Federation)
- **S/RES/1134 (1997), 23 October 1997**
[Repeated refusal to allow access condemned; “immediate, unconditional and unrestricted” access demanded; intention expressed to restrict Iraqi officials’ travel if denial of U.N. Special Commission (UNSCOM) access continued]
Vote: 10-0-5 (China, Egypt, France, Kenya, Russian Federation)
- **S/RES/1137 (1997), 12 November 1997**
[Continued violations on access condemned; travel restrictions imposed on Iraqi officials, without delay]
Vote: 15-0-0
- **S/RES/1143 (1997), 4 December 1997**
[Extension of Iraq oil-for-food arrangement for another 180 days]
Vote: 15-0-0
- **S/RES/1153 (1998), 20 February 1998**
[Extension of Iraq oil-for-food arrangement for another 180 days and increase of sales to \$5.256 billion]
Vote: 15-0-0
- **S/RES/1154 (1998), 2 March 1998**
[Memorandum of Understanding (MOU) between the United Nations and Iraq on special procedures for inspection of eight presidential sites in Iraq endorsed. Any violation of Iraq’s obligations on access would have “severest consequences” for Iraq]
Vote: 15-0-0
- **S/RES/1158 (1998), 25 March 1998**
[Sale of Iraq oil authorized to offset shortfall in revenues]
Vote: 15-0-0
- **S/RES/1175 (1998), 19 June 1998**
[Export to Iraq of oil industry spare parts allowed for increasing Iraq’s oil production to the cap set in S/RES/1153 (1998)]
Vote: 15-0-0
- **S/RES/1194 (1998), 9 September 1998**
[Iraq’s decision of August 5, 1998 to suspend cooperation with UNSCOM and IAEA on the conduct of inspections condemned; decided not to conduct the sanction review scheduled for October 1998 and not to

conduct any further sanctions reviews until Iraq rescinds its decision on inspections access]

Vote: 15-0-0

- **S/RES/1205 (1998), 5 November 1998**
[Iraq's decision of October 1998 to cease cooperation with UNSCOM condemned and demanded Iraq rescind its decisions and provide "immediate, complete, and unconditional" cooperation with UNSCOM and the IAEA]
Vote: 15-0-0
- **S/RES/1210 (1998), 24 November 1998**
[Extension of Iraq oil-for-food program for another 180 days]
Vote: 15-0-0
- **S/RES/1242 (1999), 21 May 1999**
[Extension of Iraq oil-for-food program for another 180 days]
Vote: 15-0-0
- **S/RES/1266 (1999), 4 October 1999**
[An additional \$3.04 billion in oil sales allowed]
Vote: 15-0-0
- **S/RES/1275 (1999), 19 November 1999**
[Oil-for-food program extended for two weeks, ending December 4, 1999]
Vote: 15-0-0
- **S/RES/1280 (1999), 3 December 1999**
[Oil-for-food program extended for one week, ending December 11, 1999]
Vote: 11-0-3 (China, Malaysia, Russian Federation)
- **S/RES/1281 (1999), 10 December 1999**
[Extension of Iraq oil-for-food program for another 180 days]
Vote: 15-0-0
- **S/RES/1284 (1999), 17 December 1999**
[Creation of the U.N. Monitoring, Verification and Inspection Commission (UNMOVIC) to replace UNSCOM with a reinforced, ongoing monitoring and verification system and modified the oil for food program]
Vote: 11-0-4 (China, France, Malaysia, Russian Federation)
- **S/RES/1293 (2000), 31 March 2000**
[Funding level for oil spare parts increased from \$300 million to \$600 million per phase]
Vote: 15-0-0

- **S/RES/1302 (2000), 8 June 2000**
[Extension of Iraq oil-for-food program for an additional 180 days; a comprehensive report and analysis of the humanitarian situation in Iraq by a group of independent experts requested]
Vote: 15-0-0
- **S/RES/1330 (2000), 5 December 2000**
[Extension of Iraq oil-for-food program for an additional 180 days; reduced the allocation of funds for the U.N. Compensation Fund from 30 to 25 percent, making more funds available for humanitarian supplies in the center/south of Iraq]
Vote: 15-0-0
- **S/RES/1352 (2001), 1 June 2001**
[Oil-for-food program extended for one month (30 days)]
Vote: 15-0-0
- **S/RES/1360 (2001), 3 July 2001**
[Extension of Iraq oil-for-food program for an additional 150 days]
Vote: 15-0-0
- **S/RES/1382 (2001), 29 November 2001**
[Extension of Iraq oil-for-food program for an additional 180 days; also noted consensus on a draft Goods Review List and procedures for its application, to be formally adopted by Council by May 30, 2002.]
Vote: 15-0-0
- **S/RES/1409 (2002), 14 May 2002**
[Extension of Iraq oil-for-food program for an additional 180 days; new export control system on Iraq adopted, with a Goods Review List (a pre-agreed upon list of items that require additional scrutiny). U.N. export controls on purely civilian goods were lifted.]
Vote: 15-0-0
- **S/RES/1441 (2002), 8 November 2002**
[Decision to give Iraq which “has been and remains in material breach” of U.N. resolutions, “a final opportunity to comply with its disarmament obligations” and to set up “an enhanced inspection regime.” Decided that Iraq “shall provide...a currently accurate, full, and complete declaration of all aspects of its programs to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems” by December 8. Decided that “false statements or omissions in the declarations submitted” and “failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution shall constitute a further material breach” and “will be reported to the Council for assessment.” Decided that Iraq “shall provide...immediate, unimpeded, unconditional, and unrestricted access to any and all, including underground, areas, facilities, buildings, equipment, records, and means of transport which they wish to inspect, as well as immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to

interview....” Directed UNMOVIC and IAEA to “report immediately to the Council any interference by Iraq with inspection activities, as well as any failure by Iraq to comply with its disarmament obligations.” Decided the Council would “convene immediately upon receipt of a report” relating to Iraqi noncompliance and recalled, “in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations.”]

Vote: 15-0-0

- **S/RES/1443 (2002), 25 November 2002**

[Oil-for-food program extended for nine days, ending December 4, 2002]

Vote: 15-0-0

- **S/RES/1447 (2002), 4 December 2002**

[Oil-for-food program extended for 180 days, with adjustments to the Goods Review List and to procedures for its implementation to be made no later than January 4, 2003]

Vote: 15-0-0

- **S/RES/1454 (2002), 30 December 2002**

[Adjustments in the biological, chemical, and missile-related areas of the Goods Review List approved]

Vote: 13-0-2 (Russian Federation, Syria)

Texts of the Resolutions

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/773 (1992)
26 August 1992

RESOLUTION 773 (1992)
Adopted by the Security Council at its 3108th meeting,
on 26 August 1992

The Security Council,

Reaffirming its resolution 687 (1991) of 3 April 1991, and in particular paragraphs 2, 3 and 4 thereof, and its resolution 689 (1991) of 9 April 1991,

Recalling the report of the Secretary-General dated 2 May 1991 concerning the establishment of the United Nations Iraq-Kuwait Boundary Demarcation Commission (the Commission) and the subsequent exchange of letters of 6 and 13 May 1991 (S/22558, S/22592 and S/22593),

Having considered the Secretary-General's letter of 12 August 1992 to the President of the Security Council transmitting the further report of the Commission,

Recalling in this connection that through the demarcation process the Commission is not reallocating territory between Kuwait and Iraq, but it is simply carrying out the technical task necessary to demarcate for the first time the precise coordinates of the boundary set out in the Agreed Minutes between the State of Kuwait and the Republic of Iraq regarding the restoration of Friendly Relations, Recognition and Related Matters signed by them on 4 October 1963, and that this task is being carried out in the special circumstances following Iraq's invasion of Kuwait and pursuant to resolution 687 (1991) and the Secretary-General's report for implementing paragraph 3 of that resolution (S/22558),

1. Welcomes the Secretary-General's letter of 12 August to the President of the Council and the further report of the Commission enclosed therewith;

2. Expresses its appreciation to the Commission for its work on the demarcation of the land boundary, and welcomes its demarcation decisions;

3. Welcomes also the decision of the Commission to consider the Eastern section of the boundary, which includes the offshore boundary, at its next session and urges the Commission to demarcate this part of the boundary as soon as possible and thus complete its work;
4. Underlines its guarantee of the inviolability of the above-mentioned international boundary and its decision to take as appropriate all necessary measures to that end in accordance with the Charter, as provided for in paragraph 4 of resolution 687 (1991);
5. Welcomes further the Secretary-General's intention to carry out at the earliest practicable time the realignment of the demilitarized zone referred to in paragraph 5 of resolution 687 (1991) to correspond to the international boundary demarcated by the Commission, with the consequent removal of the Iraqi police posts;
6. Urges the two States concerned to cooperate fully with the work of the Commission;
7. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/778 (1992)*
2 October 1992

RESOLUTION 778 (1992)

Adopted by the Security Council at its 3117th meeting,
on 2 October 1992

The Security Council,

Recalling its previous relevant resolutions and in particular resolutions 706 (1991) and 712 (1991),

Taking note of the letter of 15 July 1992 from the Secretary-General to the President of the Security Council on Iraq's compliance with the obligations placed on it by resolution 687 (1991) and subsequent resolutions,

Condemning Iraq's continued failure to comply with its obligations under relevant resolutions,

Reaffirming its concern about the nutritional and health situation of the Iraqi civilian population, and the risk of a further deterioration of this situation, and recalling in this regard its resolution 706 (1991) and 712 (1991), which provide a mechanism for providing humanitarian relief to the Iraqi population, and resolution 688 (1991), which provides a basis for humanitarian relief efforts in Iraq,

Having regard to the fact that the period of six months referred to in resolutions 706 (1991) and 712 (1991) expired on 18 March 1992,

Deploring Iraq's refusal to cooperate in the implementation of resolutions 706 (1991) and 712 (1991), which puts its civilian population at risk, and which results in the failure by Iraq to meet its obligations under relevant Security Council resolutions,

Recalling that the escrow account provided for in resolutions 706 (1991) and 712 (1991) will consist of Iraqi funds administered by the Secretary-General which will be used to pay contributions to the Compensation Fund, the full costs of carrying out the tasks authorized

* Reissued for technical reasons.

by section C of resolution 687 (1991), the full costs incurred by the United Nations in facilitating the return of all Kuwaiti property seized by Iraq, half the costs of the Boundary Commission, and the cost to the United Nations of implementing resolution 706 (1991) and of other necessary humanitarian activities in Iraq,

Recalling that Iraq, as stated in paragraph 16 of resolution 687 (1991), is liable for all direct damages resulting from its invasion and occupation of Kuwait, without prejudice to its debts and obligations arising prior to 2 August 1990, which will be addressed through the normal mechanisms,

Recalling its decision in resolution 692 (1991) that the requirement for Iraqi contributions to the Compensation Fund applies to certain Iraqi petroleum and petroleum products exported from Iraq before 2 April 1991, as well as to all Iraq petroleum and petroleum products exported from Iraq after 2 April 1991,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that all States in which there are funds of the Government of Iraq, or its State bodies, corporations, or agencies, that represent the proceeds of sale of Iraqi petroleum or petroleum products, paid for by or on behalf of the purchaser on or after 6 August 1990, shall cause the transfer of those funds (or equivalent amounts) as soon as possible to the escrow account provided for in resolutions 706 (1991) and 712 (1991); provided that this paragraph shall not require any State to cause the transfer of such funds in excess of 200 million dollars or to cause the transfer of more than fifty per cent of the total funds transferred or contributed pursuant to paragraphs 1, 2 and 3 of this resolution; and further provided that States may exclude from the operation of this paragraph any funds which have already been released to a claimant or supplier prior to the adoption of this resolution, or any other funds subject to or required to satisfy the rights of third parties, at the time of the adoption of this resolution;

2. Decides that all States in which there are petroleum or petroleum products owned by the Government of Iraq, or its State bodies, corporations, or agencies, shall take all feasible steps to purchase or arrange for the sale of such petroleum or petroleum products at fair market value, and thereupon to transfer the proceeds as soon as possible to the escrow account provided for in resolution 706 (1991) and 712 (1991);

3. Urges all States to contribute funds from other sources to the escrow account as soon as possible;

4. Decides that all States shall provide the Secretary-General with any information needed for the effective implementation of this

resolution and that they shall take the necessary measures to ensure that banks and other bodies and persons provide all relevant information necessary to identify the funds referred to in paragraphs 1 and 2 above and details of any transactions relating thereto, or the said petroleum or petroleum products, with a view to such information being utilized by all States and by the Secretary-General in the effective implementation of this resolution;

5. Requests the Secretary-General:

(a) To ascertain the whereabouts and amounts of the said petroleum and petroleum products and the proceeds of sale referred to in paragraphs 1 and 2 of this resolution, drawing on the work already done under the auspices of the Compensation Commission, and report the results of the Security Council as soon as possible;

(b) To ascertain the costs of United Nations activities concerning the elimination of weapons of mass destruction, the provision of humanitarian relief in Iraq, and the other United Nations operations specified in paragraphs 2 and 3 of resolution 706 (1991); and

(c) to take the following actions:

(i) transfer to the Compensation Fund, from the funds referred to in paragraphs 1 and 2 of this resolution, the percentage referred to in paragraph 10 of this resolution; and

(ii) use of the remainder of funds referred to in paragraphs 1, 2 and 3 of this resolution for the costs of United Nations activities concerning the elimination of weapons of mass destruction, the provision of humanitarian relief in Iraq, and the other United Nations operations specified in paragraphs 2 and 3 of resolution 706 (1991), taking into account any preference expressed by States transferring or contributing funds as to the allocation of such funds among these purposes;

6. Decides that for so long as oil exports take place pursuant to the system provided in resolutions 706 (1991) and 712 (1991) or to the eventual lifting of sanctions pursuant to paragraph 22 of resolution 687 (1991), implementation of paragraphs 1 to 5 of this resolution shall be suspended and all proceeds of those oil exports shall immediately be transferred by the Secretary-General in the currency in which the transfer to the escrow account had been made, to the accounts or States from which funds had been provided under paragraphs 1, 2 and 3 of this resolution, to the extent required to replace in full the amounts so provided (together with applicable interest); and that, if necessary for this purpose, any other funds remaining in the escrow account shall similarly be transferred to those accounts or States; provided, however, that the Secretary-General may retain and use any funds urgently needed for the purposes specified in

paragraph 5 (c) (ii) of this resolution;

7. Decides that the operation of this resolution shall have no effect on rights, debts and claims existing with respect to funds prior to their transfer to the escrow account; and that the accounts from which such funds were transferred shall be kept open for retransfer of the funds in question;

8. Reaffirms that the escrow account referred to in this resolution, like the Compensation Fund, enjoys the privileges and immunities of the United Nations, including immunity from legal proceedings, or any forms of attachment, garnishment or execution; and that no claim shall lie at the instance of any person or body in connection with any action taken in compliance with or implementation of this resolution;

9. Requests the Secretary-General to repay, from any available funds in the escrow account, any sum transferred under this resolution to the account or State from which it was transferred, if the transfer is found at any time by him not to have been of funds subject to this resolution; a request for such a finding could be made by the State from which the funds were transferred;

10. Confirms that the percentage of the value of exports of petroleum and petroleum products from Iraq for payment to the Compensation Fund shall, for the purpose of this resolution and exports of petroleum or petroleum products subject to paragraph 6 of resolution 692 (1991), be the same as the percentage decided by the Security Council in paragraph 2 of resolution 705 (1991), until such time as the Governing Council of the Compensation Fund may decide otherwise;

11. Decides that no further Iraqi assets shall be released for purposes set forth in paragraph 20 of resolution 687 (1991) except to the sub-account of the escrow account, established pursuant to paragraph 8 of resolution 712 (1991), or directly to the United Nations for humanitarian activities in Iraq;

12. Decides that, for the purposes of this resolution and other relevant resolutions, the term "petroleum products" does not include petrochemical derivatives;

13. Calls upon all States to cooperate fully in the implementation of this resolution;

14. Decides to remain seized of this matter.

UNITED
NATIONS

S



Security Council

Distr.
GENERAL

S/RES/806 (1993)
5 February 1993

RESOLUTION 806

Adopted by the Security Council at its 3171st meeting,
on 5 February 1993

The Security Council,

Reaffirming its resolution 687 (1991) of 3 April 1991, and in particular paragraphs 2, 3, 4 and 5 thereof, and its resolutions 689 (1991) of 9 April 1991 and 773 (1992) of 26 August 1992, and its other resolutions on this matter,

Having considered the report of the Secretary-General of 18 January 1993 (S/25123),

Noting with approval that work is being completed on the realignment of the demilitarized zone referred to in paragraph 5 of resolution 687 (1991) to correspond to the international boundary demarcated by the United Nations Iraq-Kuwait Boundary Demarcation Commission,

Deeply concerned at recent actions by Iraq in violation of relevant Security Council resolutions, including the series of border incidents involving the United Nations Iraq-Kuwait Observation Mission (UNIKOM),

Recalling the statements made by the President on behalf of the Council on 8 January 1993 (S/25081) and on 11 January 1993 (S/25091),

Acting under Chapter VII of the Charter of the United Nations,

1. Underlines once again its guarantee of the inviolability of the international boundary between the State of Kuwait and the Republic of Iraq and its decision to take as appropriate all necessary measures to that end in accordance with the Charter, as provided for in paragraph 4 of resolution 687 (1991);

2. Approves the report, and decides to extend the terms of reference of UNIKOM to include the functions contained in paragraph 5 of the report;

3. Requests the Secretary-General to plan and execute a phased deployment of the strengthening of UNIKOM taking into account the need for economy and other relevant factors and to report to the Council on any step he intends to take following an initial deployment;

4. Reaffirms that the question of termination or continuation of UNIKOM and the modalities of UNIKOM will continue to be reviewed every six months pursuant to paragraphs 2 and 3 of resolution 689 (1991), the next review to take place in April 1993;

5. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/833 (1993)
27 May 1993

RESOLUTION 833 (1993)

Adopted by the Security Council at its 3224th meeting,
on 27 May 1993

The Security Council,

Reaffirming its resolution 687 (1991) of 3 April 1991, and in particular paragraphs 2, 3, and 4 thereof, its resolution 689 (1991) of 9 April 1991, its resolution 773 (1992) of 26 August 1992, and its resolution 806 (1993) of 5 February 1993,

Recalling the report of the Secretary-General dated 2 May 1991 concerning the establishment of the United Nations Iraq-Kuwait Boundary Demarcation Commission (the Commission), the subsequent exchange of letters of 6 and 13 May 1991 (S/22558, S/22592 and S/22593), and the acceptance of the report by Iraq and Kuwait,

Having considered the Secretary-General's letter of 21 May 1993 to the President of the Security Council transmitting the final report of the Commission (S/25811 and Add.1) dated 20 May 1993,

Recalling in this connection that through the demarcation process the Commission was not reallocating territory between Kuwait and Iraq, but it was simply carrying out the technical task necessary to demarcate for the first time the precise coordinates of the boundary set out in the "Agreed Minutes between the State of Kuwait and the Republic of Iraq regarding the Restoration of Friendly Relations, Recognition and Related Matters" signed by them on 4 October 1963, and that this task was carried out in the special circumstances following Iraq's invasion of Kuwait and pursuant to resolution 687 (1991) and the Secretary-General's report for implementing paragraph 3 of that resolution (S/22558),

Reminding Iraq of its obligations under resolution 687 (1991), and in particular paragraph 2 thereof, and under other relevant resolutions of the Council, and of its acceptance of the resolutions of the Council adopted pursuant to Chapter VII of the Charter of the United Nations, which forms the basis for the cease-fire,

Noting with approval the Secretary-General's instruction to the United Nations Iraq-Kuwait Observation Mission (UNIKOM) to finalize the realignment of the demilitarized zone with the entire international boundary between Iraq and Kuwait demarcated by the Commission,

Welcoming the Secretary-General's decision to make the necessary arrangements for the maintenance of the physical representation of the boundary, as recommended by the Commission in Section X (c) of its report, until other technical arrangements are established between Iraq and Kuwait for this purpose,

Acting under Chapter VII of the Charter of the United Nations,

1. Welcomes the Secretary-General's letter of 21 May 1993 to the President of the Council and the 20 May 1993 report of the Commission (S/25811 and Add.1) enclosed therewith;

2. Welcomes also the successful conclusion of the work of the Commission;

3. Expresses its appreciation to the Commission for its work on the land part of the boundary as well as the Khor Abdullah or offshore section of the boundary, and welcomes its demarcation decisions;

4. Reaffirms that the decisions of the Commission regarding the demarcation of the boundary are final;

5. Demands that Iraq and Kuwait in accordance with international law and relevant Security Council resolutions respect the inviolability of the international boundary, as demarcated by the Commission, and the right to navigational access;

6. Underlines and reaffirms its decision to guarantee the inviolability of the above-mentioned international boundary which has now been finally demarcated by the Commission and to take as appropriate all necessary measures to that end in accordance with the Charter, as provided for in paragraph 4 of resolution 687 (1991) and paragraph 4 of resolution 773 (1992);

7. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/899 (1994)
4 March 1994

RESOLUTION 899 (1994)
Adopted by the Security Council at its 3343rd meeting,
on 4 March 1994

The Security Council,

Recalling its resolution 833 (1993) of 27 May 1993,

Having considered the Secretary-General's letter of 22 February 1994 (S/1994/240) concerning the matter of the Iraqi private citizens and their assets which remained on Kuwaiti territory following the demarcation of the international boundary between Iraq and Kuwait, and welcoming the developments and arrangements described therein,

Acting under Chapter VII of the Charter of the United Nations,

Decides that the compensation payments to be made pursuant to the arrangements described in the Secretary-General's letter of 22 February 1994 may be remitted to the private citizens concerned in Iraq, notwithstanding the provisions of resolution 661 (1991).

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/949 (1994)
15 October 1994

RESOLUTION 949 (1994)
Adopted by the Security Council at its 3438th meeting,
on 15 October 1994

The Security Council,

Recalling all its previous relevant resolutions, and reaffirming resolutions 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 689 (1991) of 9 April 1991 and 833 (1993) of 27 May 1993, and in particular paragraph 2 of resolution 678 (1990),

Recalling that Iraq's acceptance of resolution 687 (1991) adopted pursuant to Chapter VII of the Charter of the United Nations forms the basis of the cease-fire,

Noting past Iraqi threats and instances of actual use of force against its neighbours,

Recognizing that any hostile or provocative action directed against its neighbours by the Government of Iraq constitutes a threat to peace and security in the region,

Welcoming all diplomatic and other efforts to resolve the crisis,

Determined to prevent Iraq from resorting to threats and intimidation of its neighbours and the United Nations,

Underlining that it will consider Iraq fully responsible for the serious consequences of any failure to fulfil the demands in the present resolution,

Noting that Iraq has affirmed its readiness to resolve in a positive manner the issue of recognizing Kuwait's sovereignty and its borders as endorsed by resolution 833 (1993), but underlining that Iraq must unequivocally commit itself by full and formal constitutional procedures to respect Kuwait's sovereignty, territorial integrity and borders, as required by resolutions 687 (1991) and 833 (1993),

Reaffirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Reaffirming its statement of 8 October 1994 (S/1994/PRST/58),

Taking note of the letter from the Permanent Representative of Kuwait of 6 October 1994 (S/1994/1137), regarding the statement by the Revolution Command Council of Iraq of 6 October 1994,

Taking note also of the letter from the Permanent Representative of Iraq of 10 October 1994 (S/1994/1149), announcing that the Government of Iraq had decided to withdraw the troops recently deployed in the direction of the border with Kuwait,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns recent military deployments by Iraq in the direction of the border with Kuwait;
2. Demands that Iraq immediately complete the withdrawal of all military units recently deployed to southern Iraq to their original positions;
3. Demands that Iraq not again utilize its military or any other forces in a hostile or provocative manner to threaten either its neighbours or United Nations operations in Iraq;
4. Demands therefore that Iraq not redeploy to the south the units referred to in paragraph 2 above or take any other action to enhance its military capacity in southern Iraq;
5. Demands that Iraq cooperate fully with the United Nations Special Commission;
6. Decides to remain actively seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/986 (1995)
14 April 1995

RESOLUTION 986 (1995)

Adopted by the Security Council at its 3519th meeting,
on 14 April 1995

The Security Council,

Recalling its previous relevant resolutions,

Concerned by the serious nutritional and health situation of the Iraqi population, and by the risk of a further deterioration in this situation,

Convinced of the need as a temporary measure to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant Security Council resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars every 90 days for the purposes set out in this resolution and subject to the following conditions:

(a) Approval by the Committee established by resolution 661 (1990), in order to ensure the transparency of each transaction and its conformity

with the other provisions of this resolution, after submission of an application by the State concerned, endorsed by the Government of Iraq, for each proposed purchase of Iraqi petroleum and petroleum products, including details of the purchase price at fair market value, the export route, the opening of a letter of credit payable to the escrow account to be established by the Secretary-General for the purposes of this resolution, and of any other directly related financial or other essential transaction;

(b) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into the escrow account to be established by the Secretary-General for the purposes of this resolution;

2. Authorizes Turkey, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and the provisions of paragraph 1 above, to permit the import of petroleum and petroleum products originating in Iraq sufficient, after the deduction of the percentage referred to in paragraph 8 (c) below for the Compensation Fund, to meet the pipeline tariff charges, verified as reasonable by the independent inspection agents referred to in paragraph below, for the transport of Iraqi petroleum and petroleum products through the Kirkuk-Yumurtalik pipeline in Turkey authorized by paragraph 1 above;

3. Decides that paragraphs 1 and 2 of this resolution shall come into force at 00.01 Eastern Standard Time on the day after the President of the Council has informed the members of the Council that he has received the report from the Secretary-General requested in paragraph 13 below, and shall remain in force for an initial period of 180 days unless the Council takes other relevant action with regard to the provisions of resolution 661 (1990);

4. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the initial 180 day period, on receipt of the reports referred to in paragraphs 11 and 12 below, and expresses its intention, prior to the end of the 180 day period, to consider favourably renewal of the provisions of this resolution, provided that the reports referred to in paragraphs 11 and 12 below indicate that those provisions are being satisfactorily implemented;

5. Further decides that the remaining paragraphs of this resolution shall come into force forthwith;

6. Directs the Committee established by resolution 661 (1990) to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline from Iraq to Turkey and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General, who will keep the Committee informed of the amount of petroleum and petroleum products exported from Iraq after the date of entry into force of paragraph 1 of this resolution, and will verify that the purchase price of the petroleum and petroleum products is reasonable in the light of

prevailing market conditions, and that, for the purposes of the arrangements set out in this resolution, the larger share of the petroleum and petroleum products is shipped via the Kirkuk-Yumurtalik pipeline and the remainder is exported from the Mina al-Bakr oil terminal;

7. Requests the Secretary-General to establish an escrow account for the purposes of this resolution, to appoint independent and certified public accountants to audit it, and to keep the Government of Iraq fully informed;

8. Decides that the funds in the escrow account shall be used to meet the humanitarian needs of the Iraqi population and for the following other purposes, and requests the Secretary-General to use the funds deposited in the escrow account:

(a) To finance the export to Iraq, in accordance with the procedures of the Committee established by resolution 661 (1990), of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687 (1991) provided that:

(i) Each export of goods is at the request of the Government of Iraq;

(ii) Iraq effectively guarantees their equitable distribution, on the basis of a plan submitted to and approved by the Secretary-General, including a description of the goods to be purchased;

(iii) The Secretary-General receives authenticated confirmation that the exported goods concerned have arrived in Iraq;

(b) To complement, in view of the exceptional circumstances prevailing in the three Governorates mentioned below, the distribution by the Government of Iraq of goods imported under this resolution, in order to ensure an equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country, by providing between 130 million and 150 million United States dollars every 90 days to the United Nations Inter-Agency Humanitarian Programme operating within the sovereign territory of Iraq in the three northern Governorates of Dihouk, Arbil and Suleimaniyeh, except that if less than one billion United States dollars worth of petroleum or petroleum products is sold during any 90 day period, the Secretary-General may provide a proportionately smaller amount for this purpose;

(c) To transfer to the Compensation Fund the same percentage of the funds deposited in the escrow account as that decided by the Council in paragraph 2 of resolution 705 (1991) of 15 August 1991;

(d) To meet the costs to the United Nations of the independent inspection agents and the certified public accountants and the activities associated with implementation of this resolution;

(e) To meet the current operating costs of the Special Commission, pending subsequent payment in full of the costs of carrying out the tasks authorized by section C of resolution 687 (1991);

(f) To meet any reasonable expenses, other than expenses payable in Iraq, which are determined by the Committee established by resolution 661 (1990) to be directly related to the export by Iraq of petroleum and petroleum products permitted under paragraph 1 above or to the export to Iraq, and activities directly necessary therefor, of the parts and equipment permitted under paragraph 9 below;

(g) To make available up to 10 million United States dollars every 90 days from the funds deposited in the escrow account for the payments envisaged under paragraph 6 of resolution 778 (1992) of 2 October 1992;

9. Authorizes States to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990):

(a) The export to Iraq of the parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq, subject to the prior approval by the Committee established by resolution 661 (1990) of each export contract;

(b) Activities directly necessary for the exports authorized under subparagraph (a) above, including financial transactions related thereto;

10. Decides that, since the costs of the exports and activities authorized under paragraph 9 above are precluded by paragraph 4 of resolution 661 (1990) and by paragraph 11 of resolution 778 (1991) from being met from funds frozen in accordance with those provisions, the cost of such exports and activities may, until funds begin to be paid into the escrow account established for the purposes of this resolution, and following approval in each case by the Committee established by resolution 661 (1990), exceptionally be financed by letters of credit, drawn against future oil sales the proceeds of which are to be deposited in the escrow account;

11. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the initial 180 day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) above, including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 above;

12. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to develop expedited procedures as

necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of this resolution and to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the initial 180 day period on the implementation of those arrangements;

13. Requests the Secretary-General to take the actions necessary to ensure the effective implementation of this resolution, authorizes him to enter into any necessary arrangements or agreements, and requests him to report to the Council when he has done so;

14. Decides that petroleum and petroleum products subject to this resolution shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection, and to ensure that the proceeds of the sale are not diverted from the purposes laid down in this resolution;

15. Affirms that the escrow account established for the purposes of this resolution enjoys the privileges and immunities of the United Nations;

16. Affirms that all persons appointed by the Secretary-General for the purpose of implementing this resolution enjoy privileges and immunities as experts on mission for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations, and requires the Government of Iraq to allow them full freedom of movement and all necessary facilities for the discharge of their duties in the implementation of this resolution;

17. Affirms that nothing in this resolution affects Iraq's duty scrupulously to adhere to all of its obligations concerning servicing and repayment of its foreign debt, in accordance with the appropriate international mechanisms;

18. Also affirms that nothing in this resolution should be construed as infringing the sovereignty or territorial integrity of Iraq;

19. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1051 (1996)
27 March 1996

RESOLUTION 1051 (1996)

Adopted by the Security Council at its 3644th meeting,
on 27 March 1996

The Security Council,

Reaffirming its resolution 687 (1991) of 8 April 1991, and in particular section C thereof, its resolution 707 (1991) of 15 August 1991 and its resolution 715 (1991) of 11 October 1991 and the plans for ongoing monitoring and verification approved thereunder,

Recalling the request in paragraph 7 of its resolution 715 (1991) to the Committee established under resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency (IAEA) to develop in cooperation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including resolution 715 (1991) and the plans approved thereunder,

Having considered the letter of 7 December 1995 (S/1995/1017) to the President of the Council from the Chairman of the Committee established under resolution 661 (1990), annex I of which contains the provisions for the mechanism for export/import monitoring called for in paragraph 7 of resolution 715 (1991),

Recognizing that the export/import monitoring mechanism is an integral part of ongoing monitoring and verification by the Special Commission and the IAEA,

Recognizing that the export/import mechanism is not a regime for international licensing, but rather for the timely provision of information by States in which companies are located which are contemplating sales or supplies to Iraq of items covered by the plans for ongoing monitoring and verification and will not impede Iraq's legitimate right to import or export for non-proscribed purposes, items and technology necessary for the promotion of its economic and social development,

Acting under Chapter VII of the Charter of the United Nations,

1. Approves, pursuant to the relevant provisions of its resolutions 687 (1991) and 715 (1991), the provisions for the monitoring mechanism contained in annex I of the aforementioned letter of 7 December 1995 (S/1995/1017), subject to the terms of this resolution;
2. Approves also the general principles to be followed in implementing the monitoring mechanism contained in the letter of 17 July 1995 from the Chairman of the Special Commission to the Chairman of the Committee established under resolution 661 (1990) which is contained in annex II of the aforementioned letter of 7 December 1995 (S/1995/1017);
3. Affirms that the mechanism approved by this resolution is without prejudice to and shall not impair the operation of existing or future non-proliferation agreements or regimes on the international or regional level including arrangements referred to in resolution 687 (1991), nor shall such agreements or regimes impair the operation of the mechanism;
4. Confirms, until the Council decides otherwise under its relevant resolutions, that requests by other States for sales to Iraq or requests by Iraq for import of any item or technology to which the mechanism applies shall continue to be addressed to the Committee established under resolution 661 (1990) for decision by that Committee in accordance with paragraph 4 of the mechanism;
5. Decides, subject to paragraphs 4 and 7 of this resolution, that all States shall:
 - (a) Transmit to the joint unit constituted by the Special Commission and the Director General of the IAEA under paragraph 16 of the mechanism the notifications, with the data from potential exporters, and all other relevant information when available to the States, as requested in the mechanism on the intended sale or supply from their territories of any items or technologies which are subject to such notification in accordance with paragraphs 9, 11, 13, 24, 25, 27 and 28 of the mechanism;
 - (b) Report to the joint unit, in accordance with paragraphs 13, 24, 25, 27 and 28 of the mechanism, any information they may have at their disposal or may receive from suppliers in their territories of attempts to circumvent the mechanism or to supply Iraq with items prohibited to Iraq under the plans for ongoing monitoring and verification approved by resolution 715 (1991), or where the procedures for special exceptions laid down in paragraphs 24 and 25 of the mechanism have not been followed by Iraq;
6. Decides that the notifications required under paragraph 5 above shall be provided to the joint unit by Iraq, in respect of all items and technologies referred to in paragraph 12 of the mechanism, as from the date agreed upon between the Special Commission and the Director General of the IAEA and Iraq, and in any event not later than sixty days after the adoption of this resolution;

7. Decides that the notifications required under paragraph 5 above shall be provided to the joint unit by all other States as from the date the Secretary-General and the Director General of the IAEA, after their consultations with the members of the Council and other interested States, report to the Council indicating that they are satisfied with the preparedness of States for the effective implementation of the mechanism;

8. Decides that the information provided through the mechanism shall be treated as confidential and restricted to the Special Commission and the IAEA, to the extent that this is consistent with their respective responsibilities under resolution 715 (1991), other relevant resolutions and the plans for ongoing monitoring and verification approved under resolution 715 (1991);

9. Affirms, if experience over time demonstrates the need or new technologies so require, that the Council would be prepared to review the mechanism in order to determine whether any changes are required and that the annexes to the plans for ongoing monitoring and verification approved under resolution 715 (1991), which identify the items and technologies to be notified under the mechanism, may be amended in accordance with the plans, after appropriate consultations with interested States and, as laid down in the plans, after notification to the Council;

10. Decides also that the Committee established under resolution 661 (1990) and the Special Commission shall carry out the functions assigned to them under the mechanism, until the Council decides otherwise;

11. Requests the Director General of the IAEA to carry out, with the assistance and cooperation of the Special Commission, the functions assigned to him under the mechanism;

12. Calls upon all States and international organizations to cooperate fully with the Committee established under resolution 661 (1990), the Special Commission and the Director General of the IAEA in the fulfilment of their tasks in connection with the mechanism, including supplying such information as may be sought by them in implementation of the mechanism;

13. Calls upon all States to adopt as soon as possible such measures as may be necessary under their national procedures to implement the mechanism;

14. Decides that all States shall, not later than 45 days after the adoption of this resolution, be provided by the Special Commission and the Director General of the IAEA with information necessary to make preparatory arrangements at the national level prior to the implementation of the provisions of the mechanism;

15. Demands that Iraq meet unconditionally all its obligations under the mechanism approved by this resolution and cooperate fully with the Special

Commission and the Director General of the IAEA in the carrying out of their tasks under this resolution and the mechanism by such means as they may determine in accordance with their mandates from the Council;

16. Decides to consolidate the periodic requirements for progress reports under its resolutions 699 (1991), 715 (1991) and this resolution and to request the Secretary-General and the Director General of the IAEA to submit such consolidated progress reports every six months to the Council, commencing on 11 April 1996;

17. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/RES/1060 (1996)
12 June 1996

RESOLUTION 1060 (1996)

Adopted by the Security Council at its 3672nd meeting
on 12 June 1996

The Security Council,

Recalling all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991 and 715 (1991) of 11 October 1991,

Recalling also the letter from the Executive Chairman of the United Nations Special Commission to the President of the Security Council of 9 March 1996 (S/1996/182), the letter from the President of the Security Council to the Executive Chairman of the Special Commission of 12 March 1996 (S/1996/183), the statement made at its 3642nd meeting on 19 March 1996 by the President of the Security Council (S/PRST/1996/11), and the report of the Chairman of the Special Commission of 11 April 1996 (S/1996/258),

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Recalling in this context the notes from the Secretary-General of 21 July 1993 (S/26127) and 1 December 1993 (S/26825),

Noting the progress made in the work of the Special Commission towards the elimination of Iraq's programmes of weapons of mass destruction, and outstanding problems, reported by the Chairman of the Special Commission,

Noting with concern the incidents on 11 and 12 June 1996, reported to members of the Council by the Executive Chairman of the Special Commission, when access by a Special Commission inspection team to sites in Iraq designated for inspection by the Commission was excluded by the Iraqi authorities,

Emphasizing the importance the Council attaches to full compliance by Iraq with its obligations under resolutions 687 (1991), 707 (1991) and 715

(1991) to permit immediate, unconditional and unrestricted access to the Special Commission to any site which the Commission wishes to inspect,

Emphasizing the unacceptability of any attempts by Iraq to deny access to any such site,

Acting under Chapter VII of the Charter of the United Nations,

1. Deplores the refusal of the Iraqi authorities to allow access to sites designated by the Special Commission, which constitutes a clear violation of the provisions of Security Council resolutions 687 (1991), 707 (1991) and 715 (1991);
2. Demands that Iraq cooperate fully with the Special Commission in accordance with the relevant resolutions; and that the Government of Iraq allow the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect;
3. Expresses its full support to the Special Commission in its efforts to ensure implementation of its mandate under the relevant resolutions of the Council;
4. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/182
12 March 1996

ORIGINAL: ENGLISH

LETTER DATED 9 MARCH 1996 FROM THE EXECUTIVE
CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY
THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b)
(i) OF SECURITY COUNCIL RESOLUTION 687 (1991)
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the consultations held by the members of the Security Council on 8 March 1996, regarding the situation which had arisen in Baghdad where Iraq was denying a Special Commission inspection team access to a facility which had been designated for inspection, despite Iraq's obligations under Council resolutions 687 (1991), 707 (1991) and 715 (1991) to grant immediate, unconditional and unrestricted access to any such facility. At the request of the members of the Council, the Permanent Representative of Iraq was called in by you, as President, to express the Council's deep concern at the situation and to require Iraq to meet its obligations under the relevant resolutions of the Council. The members of the Council also agreed that the President should brief the press to the same effect. They further decided to meet again on the morning of 9 March to consider the adoption of a statement by the President of the Council, in order to secure Iraq's compliance with its obligations if, in the interim, Iraq had not permitted access to the site under circumstances which met all the requirements of the Commission for the proper conduct of an inspection.

Following on the President's briefing of the press, the Executive Chairman of the Commission remained in contact, throughout the night of 8-9 March, New York time, with the Deputy Prime Minister of Iraq, Mr. Tariq Aziz, and with the Deputy Executive Chairman of the Commission in Baghdad and the Chief Inspector of the inspection team stationed outside the facility concerned, seeking a solution to the situation. After a prolonged exchange, an arrangement was arrived at whereby initial access to the facility would be granted to the Chief Inspector and 12 of his experts, with the Chief Inspector having the right, if he determined that his investigation so required, to call in as many of his additional experts as might be needed. The Chief Inspector so determined, a team of some 28 experts being finally involved in the

inspection. Once inside the facility, the inspection was allowed to proceed unhindered.

When these facts were reported by the Chairman of the Commission to the President of the Council, the President decided not to convene the projected meeting of the Council at 11 a.m. on 9 March. It was agreed, instead, that a written report should be sent by the Chairman to the President of the Council, which could be circulated for the information of the members of the Council. Attached to this letter is a schedule of the principal developments relating to this matter (see annex).

While the delay occasioned by Iraq in permitting this inspection to proceed may call into question whether steps were taken by Iraq to dispose of documents and other items relating to its proscribed weapons programmes, there can be no doubt that the prompt action taken by the Council to call in the Permanent Representative of Iraq, to authorize a press briefing by the Council's President and to agree to meet again within a matter of hours if a satisfactory solution was not found, was decisive in obtaining Iraq's decision to permit a full inspection of the facility to proceed under circumstances acceptable to the Commission.

Once again, the unanimity of the members of the Council in support of the rights of the Commission and of the International Atomic Energy Agency (IAEA) - in particular the right of immediate, unconditional and unrestricted access for purposes of inspection to any and all areas, facilities, equipment, records and means of transportation - has resulted in the resolution of a situation which, if prolonged, could have given rise to a much more serious confrontation. Iraq, by refusing access to the facility concerned, was in violation of its obligations under the cease-fire and related resolutions of the Council. In similar circumstances in the past, the Council has characterized such a refusal as a "material and unacceptable breach" of resolution 687 (1991). Unless the Commission's rights in respect of access are fully respected, it will be unable to discharge its mandate to ensure that Iraq's proscribed weapons and facilities have been disposed of in the manner required by the Council. It is hoped that, faced once again with the unanimity of the Council, Iraq will not in the future seek to refuse the Commission and IAEA the full exercise of their rights under the relevant resolutions of the Council.

(Signed) Rolf EKEUS
Executive Chairman
Office of the Special Commission

Annex

Chronology of developments

8 March

1300 (EST) - The Chief Inspector and team arrive at site for inspection. A senior Iraqi official refuses to grant access. The Chief Inspector reminds Iraqi officials of the Commission's right to have access to any site in Iraq, regardless of its status. The site is secured by Commission inspectors.

1400 - The Deputy Executive Chairman meets General Amer Sa'adi. General Sa'adi offers that the building could be entered by the Deputy Executive Chairman and certain members of the Diplomatic Corps for the purpose of determining whether it was the Ministry of Irrigation. The Commission refuses to accept this offer.

1520 - The Executive Chairman briefs the President of the Council. This is followed by informal consultations in the Council, at which the Executive Chairman briefs on the situation.

1700 - The President of the Council calls in the Iraqi Permanent Representative.

1845 - The Council resumes informal consultations and agrees that it will meet the following morning if the situation is not resolved.

2000 - The President of the Council briefs the media.

2330 - The Deputy Executive Chairman relays the Executive Chairman's demand to General Sa'adi that Iraqi staff not be admitted to the site under inspection. General Sa'adi states that a normal working day has been authorized. Workers proceed to enter the building. At this time, General Sa'adi reaffirms that inspectors will not be permitted to enter.

9 March

0400 - Following several rounds of discussions by telephone between the Executive Chairman and the Deputy Prime Minister of Iraq, agreement is reached that 13 inspectors would enter the building at 6.30, and that if necessary the Chief Inspector could immediately call for additional unlimited numbers of experts to support the full exploitation of the site.

0630 - The Chief Inspector and 12 other inspectors enter the site and are quickly joined by other experts from the team. The inspection proceeds.

All times are EST and are only approximate.

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Security Council

Distr.
GENERAL

S/1996/183
12 March 1996

ORIGINAL: ENGLISH

LETTER DATED 12 MARCH 1996 FROM THE PRESIDENT OF
THE SECURITY COUNCIL ADDRESSED TO THE EXECUTIVE
CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY
THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH
9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991)

The members of the Security Council have followed with concern the incident described in your letter of 9 March 1996 (S/1996/182), when immediate access was not allowed by the Iraqi authorities to a Special Commission inspection team which sought access to a site in Baghdad designated for inspection by the Commission. The members of the Council have also learned with concern of the further incident on 11 March 1996, when an inspection team was again not allowed immediate and unconditional access to a site similarly designated by the Special Commission. In both cases access was subsequently granted only after unacceptable delays.

The members of the Council fully support your continued efforts and those of the inspection teams in Iraq on the basis of the relevant Security Council resolutions. They endorse the contents of your letter of 9 March 1996. They recall that under paragraph 9 (b) (i) of section C of Security Council resolution 687 (1991), Iraq is required to permit “immediate on-site inspection of Iraq’s biological, chemical and missile capabilities, based on Iraq’s declarations and the designation of any additional locations by the Special Commission itself”. By its resolution 707 (1991) the Council also expressly demanded that Iraq “allow the Special Commission, the International Atomic Energy Agency and their inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect”. The obligation is furthermore confirmed in the Commission’s plan for ongoing monitoring and verification which was approved by the Security Council in resolution 715 (1991).

The members of the Council consider that Iraq’s delay in permitting the inspection team currently in Iraq access to the sites concerned constitutes a clear

violation by Iraq of the provisions of resolutions 687 (1991), 707 (1991) and 715 (1991). The members of the Council reiterate that the Government of Iraq must allow the Special Commission inspection team immediate, unconditional and unrestricted access to all sites designated by the Commission for inspection.

The members of the Council reiterate their full confidence in the execution by the Special Commission of the tasks entrusted to it by the Council.

(Signed) Legwaila Joseph LEGWAILA
President of the Security Council

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/204
18 March 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 MARCH 1996 FROM THE PERMANENT
REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO
THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit annexed hereto a letter dated 17 March 1996 addressed to you by Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq, giving details of the facts relating to the inspection operations conducted by Special Commission inspection team UNSCOM 143.

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

(Signed) Nizar HAMDOON
Permanent Representative

Annex

Letter dated 17 March 1996 from the Deputy Prime Minister
of the Republic of Iraq addressed to the President of the
Security Council

I should like to clarify to you and to the members of the Security Council the facts concerning the inspections carried out by UNSCOM 143 during the period 7 to 17 March 1996 and the information relating thereto conveyed to the Council by the Executive Chairman of the Special Commission in his letter dated 9 March 1996 (document S/1996/182), a copy of which you made available to our Permanent Representative.

First:

1. Inspection operations commenced in accordance with the provisions of resolution 687 (1991) in May 1991, and have continued until the present time. During that period, inspection teams requested access to the headquarters of any ministry on only two occasions. The first was in 1992, when an inspection team requested access to the headquarters of the Ministry of Agriculture, leading to a long controversy between the Iraqi authorities and the Special Commission. That controversy was settled by an agreement between me and the Executive Chairman of the Special Commission on an appropriate arrangement for entering the Ministry headquarters. Upon entering, the representatives of the Special Commission did not find any of the items they alleged to be there.

The second incident was the one which took place on 8 March 1996, when the chief inspector of UNSCOM 143 requested access to the Ministry of Irrigation. After a discussion lasting several hours between our representatives and the Vice-Chairman of the Special Commission, who was in Baghdad at the time, I telephoned the Executive Chairman of the Special Commission, Mr. Rolf Ekeus, and we reached agreement on an appropriate arrangement for entering the building. Once again the team did not find what it had alleged to have been in the building (missiles, missile components and large boxes of documents).

2. On 11 March 1996 the same inspection team requested access to the headquarters of an institute for training the Republican Guards. In this case, I also telephoned Mr. Ekeus, who was then in London, and agreed with him on an appropriate arrangement for entering the building. The inspection team entered the building, and did not find any of the materials alleged to be there.

3. On 14 March 1996 the same inspection team asked to visit one of the headquarters of the Special Guards. An appropriate arrangement for entering the building was agreed upon between the Iraqi officials concerned and the chief inspector. The same thing happened on 15 March 1996 when the chief inspector requested entry to a site belonging to the Republic Guards. After entering these two sites, the team did not find any of the materials it alleged to be there.

4. During the said period the inspection team, in addition to the aforementioned headquarters, visited nine other sites without any problem.

Second:

It is clear from what is indicated above that the delays which occurred before the aforementioned four inspection operations took place were due to the fact that the headquarters which the inspection team asked to inspect were of a special nature (such as a ministry and the headquarters of establishments that have special characteristics relating to national security).

It is worth mentioning that since the incident at the Ministry of Agriculture in 1992, 104 inspection teams have discharged their tasks without requesting access to any headquarters or establishment of a nature similar to that of the headquarters which the last chief inspector requested to enter, a matter which caused us both surprise and concern.

In July 1993, during Mr. Ekeus' visit to Baghdad, we reached an agreement under which the inspection teams should, while discharging their tasks under the provisions of resolution 687 (1991), respect Iraq's sovereignty, dignity and national security. This was confirmed in paragraph 16 of the joint report of the two sides dated 30 November 1993 (document S/26825), which stated as follows:

“As regards Iraq's concerns relating to respect for the sovereignty, internal security and dignity of the people and the State of Iraq and Iraq's right to industrial, scientific and technological progress and development in all fields not covered by the prohibitions contained in resolution 687 (1991), the Commission and IAEA stressed that it was their intention to implement the plans in the least intrusive manner consistent with effective monitoring and verification in the circumstances prevailing, with all due regard to the legitimate concerns of Iraq noted above, in accordance with the Charter of the United Nations.”

Third:

The other reasons for the delay in permitting access to the four sites were:

1. The Iraqi side was surprised by the request to inspect the sites, which has for many years been without precedent. This required contacts among the concerned officials to study these requests with a view to taking the appropriate position thereon.

2. The request to enter the headquarters of the Ministry of Irrigation was made at 9 p.m. on Friday, 8 March 1996, which was a weekend. Similarly, the request to enter the headquarters of the Republican Guards was presented on Friday, 15 March 1996. To conduct inspections on a weekend would certainly lead to delay in contacting the officials concerned (as mentioned in paragraph 1) for them to return to their offices to study the situation in order to deal with it.

3. Entry into any site which an inspection team requests requires the presence of the official in charge of the site and a suitable number of personnel in order to answer the questions of the inspection team, to provide the keys of rooms, lockers and stores and to meet other requirements which would enable the inspection team to carry out the inspection. All this requires time, particularly when the inspection activities are carried out during weekends or after working hours.

4. Discussion between the Iraqi side and the chief inspector with a view to reaching an appropriate arrangement for entering a building and carrying out the inspection operation without touching upon matters that do not relate to the duties and tasks of the Special Commission takes time, particularly when some sites are very large and contain many facilities of different kinds. The chief inspector also needs time to contact his principals in order to secure their approval of the arrangement reached with the Iraqi side.

5. Taking into consideration all these practical factors relating to ensuring the efficiency of the inspection, the delays which occurred and which have been referred to in the letter of the Executive Chairman of the Special Commission were no longer than the time necessitated by these practical factors; in addition I twice contacted Mr. Ekeus, by telephone, on one occasion in London, in order to reach an understanding on the basis of the Special Commission's undertakings with respect to Iraq's sovereignty, dignity and national security and of Iraq's obligations under the relevant resolutions.

Fourth:

The allegation that the delay in granting access to the said headquarters raises doubts as to whether materials alleged to have been therein might have been removed or disposed of is refuted by the following facts:

1. Normally, the requests of the inspection teams are, as in the aforementioned cases, for no-notice inspection, i.e. the team reaches the site it seeks to inspect without advance notice.

2. Once the inspection team arrives at the designated site, the inspectors surround the site from all directions.

3. The inspection team which carried out the recent inspections consisted of more than 50 members with 16 vehicles, a number quite sufficient to surround the building from all directions and to control its entrances and exits.

4. At the same time that the inspection team arrives at a site, the helicopters of the Special Commission start flying over the site to ensure that nothing is moved out of the site.

5. The helicopters photograph the site before, during and after the inspection. It is possible, by comparing the photographs, to ascertain whether any large equipment may have been moved by trucks corresponding to the size and weight of such equipment. This was particularly so in the case of the last inspection team which was searching, as it informed us, for missiles, missile components, missile launchers

and large boxes of documents. During the recent inspections, helicopter overflight of the site was interrupted briefly on two occasions (for 20-30 minutes) for reasons of fuel shortage, which logically does not allow any major change in the status of the site.

6. It is very easy for the inspection teams to verify whether some documents were burned.

For these practical and technical reasons, the allegations that there was a probability of a change in the status of the site, or of the removal of some equipment from it and the burning of some documents, are not realistic.

Fifth:

Jumping to the conclusion that what happened in the last few days constitutes a pattern of impeding the work of the Special Commission is quite wrong and baseless.

In the name of the Government of Iraq, I reaffirm that the Iraqi authorities have no intention of impeding the tasks of the Special Commission in Iraq. On the contrary, we have affirmed on the highest levels that we are keen to continue the relations of understanding and joint work with a view to fulfilling the tasks of the Special Commission as soon as possible. This has been confirmed by all the recent reports of the Special Commission. As I reiterate this affirmation, I expect the Executive Chairman of the Special Commission and its representatives, while discharging their duties in Iraq, to adhere to their undertakings towards Iraq by respecting Iraq's sovereignty, dignity and national security. I also expect the Security Council to deal with this issue in an objective manner which would balance Iraq's obligations towards the Security Council and the Council's obligations towards Iraq in accordance with the principles of the United Nations Charter and the provisions of the relevant resolutions of the Council.

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Security Council

Distr.
GENERAL

S/PRST/1996/11
19 March 1996

ORIGINAL: ENGLISH

STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3642nd meeting of the Security Council, held on 19 March 1996, in connection with the Council's consideration of the item entitled "The situation between Iraq and Kuwait", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has noted with growing concern that the incident described in the letter of 9 March 1996 from the Executive Chairman of the Special Commission to the President of the Security Council (S/1996/182) and the further incident on 11 March 1996 in which an inspection team was again not allowed immediate and unconditional access to a site designated by the Commission under its resolution 687 (1991) were followed by further such incidents on 14 and 15 March 1996. In all of these cases access was subsequently granted only after unacceptable delays.

"The Security Council reiterates its full support for the Special Commission in the conduct of its inspections and the other tasks entrusted to it by the Council.

"The Security Council notes the letter of 17 March 1996 to its President from the Deputy Prime Minister of Iraq (S/1996/204). It recalls that, under paragraph 9 (b) (i) of section C of Security Council resolution 687 (1991), Iraq is required to permit 'immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself'. By its resolution 707 (1991), the Council also expressly demanded that Iraq 'allow the Special Commission, the International Atomic Energy Agency and their inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect'.

The obligation was furthermore confirmed in the Commission's plan for ongoing monitoring and verification which was approved by the Security Council in resolution 715 (1991); in this context the Council recalls the notes from the Secretary-General of 21 July 1993 (S/26127) and 1 December 1993 (S/26825).

“The Security Council considers that Iraq's delays in permitting the inspection team recently in Iraq access to the sites concerned constitute clear violations by Iraq of the provisions of resolutions 687 (1991), 707 (1991) and 715 (1991). The Council demands that the Government of Iraq allow the Special Commission inspection teams immediate, unconditional and unrestricted access to all sites designated by the Commission for inspection in accordance with the relevant resolutions of the Council.”

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Security Council

Distr.
GENERAL

S/RES/1111 (1997)
4 June 1997

RESOLUTION 1111 (1997)

Adopted by the Security Council at its 3786th meeting,
on 4 June 1997

The Security Council,

Recalling its previous resolutions and in particular its resolution 986 (1995) of 14 April 1995,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant Security Council resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Determined to avoid any further deterioration of the current humanitarian situation,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Welcoming the report submitted by the Secretary-General in accordance with paragraph 11 of resolution 986 (1995) (S/1997/419), as well as the report submitted in accordance with paragraph 12 of resolution 986 (1995) (S/1997/417) by the Committee established by resolution 661 (1990) of 6 August 1990,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for another period of 180 days beginning at 00.01 hours, Eastern Daylight Time, on 8 June 1997;
2. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180 day period, on receipt of the reports referred to in paragraphs 3 and 4 below, and expresses its intention, prior to the end of the 180 day period, to consider favorably renewal of the provisions of this resolution, provided that the reports referred to in paragraphs 3 and 4 below indicate that those provisions are being satisfactorily implemented;
3. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the 180 day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 of resolution 986 (1995);
4. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the 180 day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);
5. Directs the Committee established by resolution 661 (1990) of 6 August 1990 to process expeditiously contract applications submitted under the present resolution as soon as the Secretary-General has approved the new Plan submitted by the Government of Iraq, guaranteeing equitable distribution and including a description of the goods to be purchased with the revenues of the sale of petroleum and petroleum products authorized by the present resolution;
6. Decides to remain seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/RES/1115 (1997)
21 June 1997

RESOLUTION 1115 (1997)

Adopted by the Security Council at its 3792nd meeting,
on 21 June 1997

The Security Council,

Recalling all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991 and 1060 (1996) of 12 June 1996,

Recalling also the letter from the Executive Chairman of the Special Commission to the President of the Security Council of 12 June 1997 (S/1997/474), which reported to the Council the incidents on 10 and 12 June 1997 when access by a Special Commission inspection team to sites in Iraq designated for inspection by the Commission was excluded by the Iraqi authorities,

Determined to ensure full compliance by Iraq with its obligations under all previous resolutions, in particular resolutions 687 (1991), 707 (1991), 715 (1991) and 1060 (1996) to permit immediate, unconditional and unrestricted access to the Special Commission to any site which the Commission wishes to inspect,

Stressing the unacceptability of any attempts by Iraq to deny access to any such site,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the repeated refusal of the Iraqi authorities to allow access to sites designated by the Special Commission, which constitutes a clear and flagrant

violation of the provisions of Security Council resolutions 687 (1991), 707 (1991), 715 (1991) and 1060 (1996);

2. Demands that Iraq cooperate fully with the Special Commission in accordance with the relevant resolutions; and that the Government of Iraq allow the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect in accordance with the mandate of the Special Commission;

3. Demands further that the Government of Iraq give immediate, unconditional and unrestricted access to officials and other persons under the authority of the Iraqi Government whom the Special Commission wishes to interview, so that the Special Commission may fully discharge its mandate;

4. Requests the Chairman of the Special Commission to include in his consolidated progress reports under resolution 1051 (1996) an annex evaluating Iraq's compliance with paragraphs 2 and 3 of this resolution;

5. Decides not to conduct the reviews provided for in paragraphs 21 and 28 of resolution 687 (1991) until after the next consolidated progress report of the Special Commission, due on 11 October 1997, after which time those reviews will resume in accordance with resolution 687 (1991);

6. Expresses the firm intention, unless the Special Commission advises the Council in the report referred to in paragraphs 4 and 5 that Iraq is in substantial compliance with paragraphs 2 and 3 of this resolution, to impose additional measures on those categories of Iraqi officials responsible for the non-compliance;

7. Reaffirms its full support to the Special Commission in its efforts to ensure the implementation of its mandate under the relevant resolutions of the Council;

8. Decides to remain seized of the matter.

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NATIONS

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Security Council

Distr.
GENERAL

S/RES/1129 (1997)
12 September 1997

RESOLUTION 1129 (1997)

Adopted by the Security Council at its 3817th meeting,
on 12 September 1997

The Security Council,

Recalling its previous resolutions and, in particular, its resolutions 986 (1995) of 14 April 1995 and 1111 (1997) of 4 June 1997,

Reaffirming that the implementation period of resolution 1111 (1997) began at 00.01, Eastern Daylight Time, on 8 June 1997, and that the export of petroleum and petroleum products by Iraq pursuant to resolution 1111 (1997) did not require the approval by the Secretary-General of the distribution plan mentioned in paragraph 8 (a) (ii) of resolution 986 (1995),

Taking note of the decision by the Government of Iraq not to export petroleum and petroleum products permitted pursuant to resolution 1111 (1997) during the period 8 June to 13 August 1997,

Deeply concerned about the resulting humanitarian consequences for the Iraqi people, since the shortfall in the revenue from the sale of petroleum and petroleum products will delay the provision of humanitarian relief and create hardship for the Iraqi people,

Noting that, as set out in the report of the Committee established by resolution 661 (1990) (S/1997/692), Iraq will not be able to export petroleum and petroleum products worth two billion United States dollars by the end of the period set by resolution 1111 (1997) while complying with the requirement not to produce a sum exceeding one billion United States dollars every 90 days set out in paragraph 1 of resolution 986 (1995) and renewed in resolution 1111 (1997),

Acknowledging the situation with regard to the delivery of humanitarian goods to Iraq as described in the report of the Secretary-General (S/1997/685) and encouraging the continuing efforts to improve this situation,

Stressing the importance of an equitable distribution of humanitarian goods as called for by paragraph 8 (a) (ii) of resolution 986 (1995),

Determined to avoid any further deterioration of the current humanitarian situation,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 1111 (1997) shall remain in force, except that States are authorized to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars within a period of 120 days from 00.01, Eastern Daylight Time, on 8 June 1997 and, thereafter, a sum not exceeding a total of one billion United States dollars within a period of 60 days from 00.01, Eastern Daylight Time, on 4 October 1997;
2. Decides further that the provisions of paragraph 1 above shall apply only to the period of implementation of resolution 1111 (1997), and expresses its firm intention that under any future resolutions authorizing States to permit the import of petroleum and petroleum products originating in Iraq, the time limits within which imports may be permitted established in such resolutions shall be strictly enforced;
3. Expresses its full support for the intention of the Secretary-General, stated in his report to the Security Council (S/1997/685), to follow up his observations concerning the needs of vulnerable groups in Iraq by monitoring the actions of the Government of Iraq in respect of these groups;
4. Stresses that contracts for the purchase of humanitarian supplies submitted in accordance with resolution 1111 (1997) must be limited to items which appear on the list of supplies annexed to the second distribution plan prepared by the Government of Iraq and approved by the Secretary-General pursuant to paragraph 8 (a) (ii) of resolution 986 (1995), or appropriate amendments to the plan must be requested prior to purchasing items not on the annexed list;
5. Decides to remain seized of the matter.

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Security Council

Distr.
GENERAL

S/RES/1134 (1997)
23 October 1997

RESOLUTION 1134 (1997)

Adopted by the Security Council at its 3826th meeting,
on 23 October 1997

The Security Council,

Recalling all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1060 (1996) of 12 June 1996, and 1115 (1997) of 21 June 1997,

Having considered the report of the Executive Chairman of the Special Commission dated 6 October 1997 (S/1997/774),

Expressing grave concern at the report of additional incidents since the adoption of resolution 1115 (1997) in which access by the Special Commission inspection teams to sites in Iraq designated for inspection by the Commission was again denied by the Iraqi authorities,

Stressing the unacceptability of any attempts by Iraq to deny access to such sites,

Taking note of the progress nevertheless achieved by the Special Commission, as set out in the report of the Executive Chairman, towards the elimination of Iraq's programme of weapons of mass destruction,

Reaffirming its determination to ensure full compliance by Iraq with all its obligations under all previous relevant resolutions and reiterating its demand that Iraq allow immediate, unconditional and unrestricted access to the Special Commission to any site which the Commission wishes to inspect, and in particular allow the Special Commission and its inspection teams to conduct both fixed wing and helicopter flights throughout Iraq for all relevant purposes including inspection, surveillance, aerial surveys, transportation and logistics without interferences of any kind and upon such terms and conditions as may be determined by the Special Commission, and to make use of their own aircraft and

such airfields in Iraq as they may determine are most appropriate for the work of the Commission,

Recalling that resolution 1115 (1997) expresses the Council's firm intention, unless the Special Commission has advised the Council that Iraq is in substantial compliance with paragraphs 2 and 3 of that resolution, to impose additional measures on those categories of Iraqi officials responsible for the non-compliance,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the repeated refusal of the Iraqi authorities, as detailed in the report of the Executive Chairman of the Special Commission, to allow access to sites designated by the Special Commission, and especially Iraqi actions endangering the safety of Special Commission personnel, the removal and destruction of documents of interest to the Special Commission and interference with the freedom of movement of Special Commission personnel;
2. Decides that such refusals to cooperate constitute a flagrant violation of Security Council resolutions 687 (1991), 707 (1991), 715 (1991) and 1060 (1996), and notes that the Special Commission in the report of the Executive Chairman was unable to advise that Iraq was in substantial compliance with paragraphs 2 and 3 of resolution 1115 (1997);
3. Demands that Iraq cooperate fully with the Special Commission in accordance with the relevant resolutions, which constitute the governing standard of Iraqi compliance;
4. Demands in particular that Iraq without delay allow the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect in accordance with the mandate of the Special Commission, as well as to officials and other persons under the authority of the Iraqi Government whom the Special Commission wishes to interview so that the Special Commission may fully discharge its mandate;
5. Requests the Chairman of the Special Commission to include in all future consolidated progress reports prepared under resolution 1051 (1996) an annex evaluating Iraq's compliance with paragraphs 2 and 3 of resolution 1115 (1997);
6. Expresses the firm intention - if the Special Commission reports that Iraq is not in compliance with paragraphs 2 and 3 of resolution 1115 (1997) or if the Special Commission does not advise the Council in the report of the Executive Chairman due on 11 April 1998 that Iraq is in compliance with paragraphs 2 and 3 of resolution 1115 (1997) - to adopt measures which would oblige all States to prevent without delay the entry into or transit through their territories of all Iraqi officials and members of the Iraqi armed forces who are responsible for or

participate in instances of non-compliance with paragraphs 2 and 3 of resolution 1115 (1997), provided that the entry of a person into a particular State on a specified date may be authorized by the Committee established by resolution 661 (1990), and provided that nothing in this paragraph shall oblige a State to refuse entry into its own territory to its own nationals or persons carrying out bona fide diplomatic assignments or missions;

7. Decides further, on the basis of all incidents related to the implementation of paragraphs 2 and 3 of resolution 1115 (1997), to begin to designate, in consultation with the Special Commission, individuals whose entry or transit would be prevented upon implementation of the measures set out in paragraph 6 above;

8. Decides not to conduct the reviews provided for in paragraphs 21 and 28 of resolution 687 (1991) until after the next consolidated progress report of the Special Commission, due on 11 April 1998, after which those reviews will resume in accordance with resolution 687 (1991), beginning on 26 April 1998;

9. Reaffirms its full support for the authority of the Special Commission under its Executive Chairman to ensure the implementation of its mandate under the relevant resolutions of the Council;

10. Decides to remain seized of the matter.

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Security Council

Distr.
GENERAL

S/RES/1137(1997)

12 November 1997

RESOLUTION 1137 (1997)

Adopted by the Security Council at its 3831st meeting,
on 12 November 1997

The Security Council,

Recalling all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997, and 1134 (1997) of 23 October 1997,

Taking note with grave concern of the letter of 29 October 1997 from the Deputy Prime Minister of Iraq to the President of the Security Council (S/1997/829) conveying the unacceptable decision of the Government of Iraq to seek to impose conditions on its cooperation with the Special Commission, of the letter of 2 November 1997 from the Permanent Representative of Iraq to the United Nations to the Executive Chairman of the Special Commission (S/1997/837, annex) which reiterated the unacceptable demand that the reconnaissance aircraft operating on behalf of the Special Commission be withdrawn from use and which implicitly threatened the safety of such aircraft, and of the letter of 6 November 1997 from the Minister of Foreign Affairs of Iraq to the President of the Security Council (S/1997/855) admitting that Iraq has moved dual-capable equipment which is subject to monitoring by the Special Commission,

Also taking note with grave concern of the letters of 30 October 1997 (S/1997/830) and 2 November 1997 (S/1997/836) from the Executive Chairman of the Special Commission to the President of the Security Council advising that the Government of Iraq had denied entry to Iraq to two Special Commission officials on 30 October 1997 and 2 November 1997 on the grounds of their nationality, and of the letters of 3 November 1997 (S/1997/837), 4 November 1997 (S/1997/843), 5 November 1997 (S/1997/851) and 7 November 1997 (S/1997/864) from the Executive Chairman of the Special Commission to the President of the Security Council advising that the Government of Iraq had denied

entry to sites designated for inspection by the Special Commission on 3, 4, 5, 6 and 7 November 1997 to Special Commission inspectors on the grounds of their nationality, and of the additional information in the Executive Chairman's letter of 5 November 1997 to the President of the Security Council (S/1997/851) that the Government of Iraq has moved significant pieces of dual-capable equipment subject to monitoring by the Special Commission, and that monitoring cameras appear to have been tampered with or covered,

Welcoming the diplomatic initiatives, including that of the high-level mission of the Secretary-General, which have taken place in an effort to ensure that Iraq complies unconditionally with its obligations under the relevant resolutions,

Deeply concerned at the report of the high-level mission of the Secretary-General on the results of its meetings with the highest levels of the Government of Iraq,

Recalling that its resolution 1115 (1997) expressed its firm intention, unless the Special Commission advised the Council that Iraq is in substantial compliance with paragraphs 2 and 3 of that resolution, to impose additional measures on those categories of Iraqi officials responsible for the non-compliance,

Recalling also that its resolution 1134 (1997) reaffirmed its firm intention, if inter alia the Special Commission reports that Iraq is not in compliance with paragraphs 2 and 3 of resolution 1115 (1997), to adopt measures which would oblige States to refuse the entry into or transit through their territories of all Iraqi officials and members of the Iraqi armed forces who are responsible for or participate in instances of non-compliance with paragraphs 2 and 3 of resolution 1115 (1997),

Recalling further the Statement of its President of 29 October 1997 (S/PRST/1997/49) in which the Council condemned the decision of the Government of Iraq to try to dictate the terms of its compliance with its obligation to cooperate with the Special Commission, and warned of the serious consequences of Iraq's failure to comply immediately and fully and without conditions or restrictions with its obligations under the relevant resolutions,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Determined to ensure immediate and full compliance without conditions or restrictions by Iraq with its obligations under the relevant resolutions,

Determining that this situation continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. Condemns the continued violations by Iraq of its obligations under the relevant resolutions to cooperate fully and unconditionally with the Special Commission in the fulfilment of its mandate, including its unacceptable decision of 29 October 1997 to seek to impose conditions on cooperation with the Special Commission,

its refusal on 30 October 1997 and 2 November 1997 to allow entry to Iraq to two Special Commission officials on the grounds of their nationality, its denial of entry on 3, 4, 5, 6 and 7 November 1997 to sites designated by the Special Commission for inspection to Special Commission inspectors on the grounds of their nationality, its implicit threat to the safety of the reconnaissance aircraft operating on behalf of the Special Commission, its removal of significant pieces of dual-use equipment from their previous sites, and its tampering with monitoring cameras of the Special Commission;

2. Demands that the Government of Iraq rescind immediately its decision of 29 October 1997;

3. Demands also that Iraq cooperate fully and immediately and without conditions or restrictions with the Special Commission in accordance with the relevant resolutions, which constitute the governing standard of Iraqi compliance;

4. Decides, in accordance with paragraph 6 of resolution 1134 (1997), that States shall without delay prevent the entry into or transit through their territories of all Iraqi officials and members of the Iraqi armed forces who were responsible for or participated in the instances of non-compliance detailed in paragraph 1 above, provided that the entry of a person into a particular State on a specified date may be authorized by the Committee established by resolution 661 (1990) of 6 August 1990, and provided that nothing in this paragraph shall oblige a State to refuse entry into its own territory to its own nationals, or to persons carrying out bona fide diplomatic assignments, or missions approved by the Committee established by resolution 661 (1990);

5. Decides also, in accordance with paragraph 7 of resolution 1134 (1997), to designate in consultation with the Special Commission a list of individuals whose entry or transit will be prevented under the provisions of paragraph 4 above, and requests the Committee established by resolution 661 (1990) to develop guidelines and procedures as appropriate for the implementation of the measures set out in paragraph 4 above, and to transmit copies of these guidelines and procedures, as well as a list of the individuals designated, to all Member States;

6. Decides that the provisions of paragraphs 4 and 5 above shall terminate one day after the Executive Chairman of the Special Commission reports to the Council that Iraq is allowing the Special Commission inspection teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect in accordance with the mandate of the Special Commission, as well as to officials and other persons under the authority of the Iraqi Government whom the Special Commission wishes to interview so that the Special Commission may fully discharge its mandate;

7. Decides that the reviews provided for in paragraphs 21 and 28 of resolution 687 (1991) shall resume in April 1998 in accordance with paragraph 8 of resolution 1134 (1997), provided that the Government of Iraq shall have complied with paragraph 2 above;

8. Expresses the firm intention to take further measures as may be required for the implementation of this resolution;

9. Reaffirms the responsibility of the Government of Iraq under the relevant resolutions to ensure the safety and security of the personnel and equipment of the Special Commission and its inspection teams;

10. Reaffirms also its full support for the authority of the Special Commission under its Executive Chairman to ensure the implementation of its mandate under the relevant resolutions of the Council;

11. Decides to remain seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/RES/1143 (1997)

4 December 1997

RESOLUTION 1143 (1997)

Adopted by the Security Council at its 3840th meeting,
on 4 December 1997

The Security Council,

Recalling its previous resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997 and 1129 (1997) of 12 September 1997,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Welcoming the report submitted by the Secretary-General in accordance with paragraph 3 of resolution 1111 (1997) (S/1997/935) and his intention to submit a supplementary report, as well as the report submitted in accordance with paragraph 4 of resolution 1111 (1997) by the Committee established by resolution 661 (1990) of 6 August 1990 (S/1997/942),

Noting with concern that, despite the ongoing implementation of resolutions 986 (1995) and 1111 (1997), the population of Iraq continues to face a serious nutritional and health situation,

Determined to avoid any further deterioration of the current humanitarian situation,

Noting with appreciation the recommendation of the Secretary-General that the Council re-examine the adequacy of the revenues provided by resolution 986 (1995) and consider how best to meet the priority humanitarian requirements of the Iraqi people, including the possibility of increasing those revenues,

Noting also with appreciation the Secretary-General's intention to include in his supplementary report recommendations on ways to improve the processing and supply of humanitarian goods under resolution 986 (1995),

Welcoming the efforts made by the Committee established by resolution 661 (1990) to refine and clarify its working procedures and encouraging the Committee to go further in that direction in order to expedite the approval process,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for another period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 5 December 1997;
2. Further decides that the provisions of the distribution plan in respect of goods purchased in accordance with resolution 1111 (1997) shall continue to apply to foodstuffs, medicine and health supplies purchased in accordance with this resolution pending the Secretary-General's approval of a new distribution plan, to be submitted by the Government of Iraq before 5 January 1998;
3. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, on receipt of the reports referred to in paragraphs 4 and 5 below, and expresses its intention, prior to the end of the 180-day period, to consider favorably renewal of the provisions of this resolution, provided that the reports referred to in paragraphs 4 and 5 below indicate that those provisions are being satisfactorily implemented;
4. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the 180-day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 of resolution 986 (1995);
5. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the

date of entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

6. Welcomes the intention of the Secretary-General to submit a supplementary report, and expresses its willingness, in the light of his recommendations, to find ways of improving the implementation of the humanitarian programme and to take such action over additional resources as needed to meet priority humanitarian requirements of the Iraqi people, as well as to consider an extension of the time-frame for the implementation of this resolution;

7. Requests the Secretary-General to submit his supplementary report to the Council no later than 30 January 1998;

8. Stresses the need to ensure respect for the security and safety of all persons appointed by the Secretary-General for the implementation of this resolution in Iraq;

9. Requests the Committee established by resolution 661 (1990) to continue, in close coordination with the Secretary-General, to refine and clarify working procedures in order to expedite the approval process and to report to the Council no later than 30 January 1998;

10. Decides to remain seized of the matter.

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Security Council

Distr.
GENERAL

S/RES/1153 (1998)

20 February 1998

RESOLUTION 1153 (1998)

Adopted by the Security Council at its 3855th meeting,
on 20 February 1998

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997 and 1143 (1997) of 4 December 1997,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions, and emphasizing the temporary nature of the distribution plan envisaged by this resolution,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Welcoming the report submitted on 1 February 1998 by the Secretary-General in accordance with paragraph 7 of resolution 1143 (1997) (S/1998/90) and his recommendations, as well as the report submitted on 30 January 1998 in accordance with paragraph 9 of resolution 1143 (1997) by the Committee established by resolution 661 (1990) of 6 August 1990 (S/1998/92),

Noting that the Government of Iraq did not cooperate fully in the preparation of the report of the Secretary-General,

Noting with concern that, despite the ongoing implementation of resolutions 986 (1995), 1111 (1997) and 1143 (1997), the population of Iraq continues to face a very serious nutritional and health situation,

Determined to avoid any further deterioration of the current humanitarian situation,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on the day after the President of the Council has informed the members of the Council that he has received the report of the Secretary-General requested in paragraph 5 below, on which date the provisions of resolution 1143 (1997), if still in force, shall terminate, except as regards sums already produced pursuant to that resolution prior to that date;

2. Decides further that the authorization given to States by paragraph 1 of resolution 986 (1995) shall permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum, in the 180-day period referred to in paragraph 1 above, not exceeding a total of 5.256 billion United States dollars, of which the amounts recommended by the Secretary-General for the food/nutrition and health sectors should be allocated on a priority basis, and of which between 682 million United States dollars and 788 million United States dollars shall be used for the purpose referred to in paragraph 8 (b) of resolution 986 (1995), except that if less than 5.256 billion United States dollars worth of petroleum or petroleum products is sold during the 180-day period, particular attention will be paid to meeting the urgent humanitarian needs in the food/nutrition and health sectors and the Secretary-General may provide a proportionately smaller amount for the purpose referred to in paragraph 8 (b) of resolution 986 (1995);

3. Directs the Committee established by resolution 661 (1990) to authorize, on the basis of specific requests, reasonable expenses related to the Hajj pilgrimage, to be met by funds in the escrow account;

4. Requests the Secretary-General to take the actions necessary to ensure the effective and efficient implementation of this resolution, and in particular to enhance the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council of the equitable distribution of the goods produced in accordance with this resolution and that all supplies authorized for procurement, including dual-usage items and spare parts, are utilized for the purpose for which they have been authorized;

5. Requests the Secretary-General to report to the Council when he has entered into any necessary arrangements or agreements, and approved a distribution plan, submitted by the Government of Iraq, which includes a description of the goods to be purchased and effectively guarantees their equitable distribution, in accordance with his recommendations that the plan should be ongoing and should reflect the relative priorities of humanitarian supplies as well as their

interrelationships within the context of projects or activities, required delivery dates, preferred points of entry, and targeted objectives to be achieved;

6. Urges all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

7. Appeals to all States to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and taking all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

8. Stresses the need to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

9. Decides to conduct an interim review of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and a thorough review of all aspects of its implementation prior to the end of the 180-day period, on receipt of the reports referred to in paragraphs 10 and 14 below, and expresses its intention, prior to the end of the 180-day period, to consider favorably the renewal of the provisions of this resolution as appropriate, provided that the reports referred to in paragraphs 10 and 14 below indicate that those provisions are being satisfactorily implemented;

10. Requests the Secretary-General to make an interim report to the Council 90 days after the entry into force of paragraph 1 above, and to make a full report prior to the end of the 180-day period, on the basis of observation by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 above;

11. Takes note of the Secretary-General's observation that the situation in the electricity sector is extremely grave, and of his intention to return to the Council with proposals for appropriate funding, requests him to submit urgently a report for this purpose prepared in consultation with the Government of Iraq to the Council, and further requests him to submit to the Council other studies, drawing upon United Nations agencies as appropriate and in consultation with the Government of Iraq, on essential humanitarian needs in Iraq including necessary improvements to infrastructure;

12. Requests the Secretary-General to establish a group of experts to determine in consultation with the Government of Iraq whether Iraq is able to export petroleum or petroleum products sufficient to produce the total sum referred to in paragraph 2 above and to prepare an independent report on Iraqi production and

transportation capacity and necessary monitoring, also requests him in the light of that report to make early and appropriate recommendations and expresses its readiness to take a decision, on the basis of these recommendations and the humanitarian objectives of this resolution, notwithstanding paragraph 3 of resolution 661 (1990), regarding authorization of the export of the necessary equipment to enable Iraq to increase the export of petroleum or petroleum products and to give the appropriate directions to the Committee established by resolution 661 (1990);

13. Requests the Secretary-General to report to the Council, if Iraq is unable to export petroleum or petroleum products sufficient to produce the total sum referred to in paragraph 2 above, and following consultations with relevant United Nations agencies and the Iraqi authorities, making recommendations for the expenditure of the sum expected to be available, consistent with the distribution plan referred to in paragraph 5 above;

14. Requests the Committee established by resolution 661 (1990), in coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

15. Requests further the Committee established by resolution 661 (1990) to implement the measures and take action on the steps referred to in its report of 30 January 1998, with regard to the refining and clarifying of its working procedures, to consider the relevant observations and recommendations referred to in the report of the Secretary-General of 1 February 1998 in particular with a view to reducing to the extent possible the delay between the export of petroleum and petroleum products from Iraq and the supply of goods to Iraq in accordance with this resolution, to report to the Council by 31 March 1998 and thereafter to continue to review its procedures whenever necessary;

16. Decides to remain seized of the matter.

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Security Council

Distr.
GENERAL

S/RES/1154 (1998)

2 March 1998

RESOLUTION 1154 (1998)

Adopted by the Security Council at its 3858th meeting,
on 2 March 1998

The Security Council,

Recalling all its previous relevant resolutions, which constitute the governing standard of Iraqi compliance,

Determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) and the other relevant resolutions,

Reaffirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations,

1. Commends the initiative by the Secretary-General to secure commitments from the Government of Iraq on compliance with its obligations under the relevant resolutions, and in this regard endorses the memorandum of understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998 (S/1998/166) and looks forward to its early and full implementation;

2. Requests the Secretary-General to report to the Council as soon as possible with regard to the finalization of procedures for Presidential sites in consultation with the Executive Chairman of the United Nations Special Commission and the Director General of the International Atomic Energy Agency (IAEA);

3. Stresses that compliance by the Government of Iraq with its obligations, repeated again in the memorandum of understanding, to accord immediate, unconditional and unrestricted access to the Special Commission and the IAEA in conformity with the relevant resolutions is necessary for the implementation of

resolution 687 (1991), but that any violation would have severest consequences for Iraq;

4. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution and notes that by its failure so far to comply with its relevant obligations Iraq has delayed the moment when the Council can do so;

5. Decides, in accordance with its responsibility under the Charter, to remain actively seized of the matter, in order to ensure implementation of this resolution, and to secure peace and security in the area.

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Security Council

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GENERAL

S/1998/166
27 February 1998

ORIGINAL: ENGLISH

LETTER DATED 25 FEBRUARY 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my briefing of the Security Council yesterday regarding my recent mission to Baghdad, please find attached a copy of the Memorandum of Understanding which I signed with Mr. Tariq Aziz, Deputy Prime Minister of Iraq. Although the text of the Memorandum was made available informally to the members of the Council prior to the briefing, I should appreciate it if it could now be formally brought to their attention.

(Signed) Kofi A. ANNAN

Memorandum of Understanding between the United Nations and the Republic of Iraq

1. The Government of Iraq reconfirms its acceptance of all relevant resolutions of the Security Council, including resolutions 687 (1991) and 715 (1991). The Government of Iraq further reiterates its undertaking to cooperate fully with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA).
2. The United Nations reiterates the commitment of all Member States to respect the sovereignty and territorial integrity of Iraq.
3. The Government of Iraq undertakes to accord to UNSCOM and IAEA immediate, unconditional and unrestricted access in conformity with the resolutions referred to in paragraph 1. In the performance of its mandate under the Security Council resolutions, UNSCOM undertakes to respect the legitimate concerns of Iraq relating to national security, sovereignty and dignity.
4. The United Nations and the Government of Iraq agree that the following special procedures shall apply to the initial and subsequent entries for the

performance of the tasks mandated at the eight Presidential Sites in Iraq as defined in the annex to the present Memorandum:

(a) A Special Group shall be established for this purpose by the Secretary-General in consultation with the Executive Chairman of UNSCOM and the Director General of IAEA. This Group shall comprise senior diplomats appointed by the Secretary-General and experts drawn from UNSCOM and IAEA. The Group shall be headed by a Commissioner appointed by the Secretary-General.

(b) In carrying out its work, the Special Group shall operate under the established procedures of UNSCOM and IAEA, and specific detailed procedures which will be developed given the special nature of the Presidential Sites, in accordance with the relevant resolutions of the Security Council.

(c) The report of the Special Group on its activities and findings shall be submitted by the Executive Chairman of UNSCOM to the Security Council through the Secretary-General.

5. The United Nations and the Government of Iraq further agree that all other areas, facilities, equipment, records and means of transportation shall be subject to UNSCOM procedures hitherto established.

6. Noting the progress achieved by UNSCOM in various disarmament areas, and the need to intensify efforts in order to complete its mandate, the United Nations and the Government of Iraq agree to improve cooperation, and efficiency, effectiveness and transparency of work, so as to enable UNSCOM to report to the Council expeditiously under paragraph 22 of resolution 687 (1991). To achieve this goal, the Government of Iraq and UNSCOM will implement the recommendations directed at them as contained in the report of the emergency session of UNSCOM held on 21 November 1997.

7. The lifting of sanctions is obviously of paramount importance to the people and Government of Iraq and the Secretary-General undertook to bring this matter to the full attention of the members of the Security Council.

Signed this 23rd day of February 1998 in Baghdad in two originals in English.

For the United Nations For the Republic of Iraq

Kofi A. Annan Tariq Aziz
Secretary-General Deputy Prime Minister

Annex
to the Memorandum of Understanding
between the United Nations and the Republic of Iraq
of 23 February 1998

The eight Presidential Sites subject to the regime agreed upon in the present Memorandum of Understanding are the following:

1. The Republican Palace Presidential Site (Baghdad).
2. Radwaniyah Presidential Site (Baghdad).
3. Sijood Presidential Site (Baghdad).
4. Tikrit Presidential Site.
5. Tharthar Presidential Site.
6. Jabal Makhul Presidential Site.
7. Mosul Presidential Site.
8. Basrah Presidential Site.

The perimeter of the area of each site is recorded in the survey of the “Presidential sites” in Iraq implemented by the United Nations Technical Mission designated by the Secretary-General, as attached to the letter dated 21 February 1998 addressed by the Secretary-General to the Deputy Prime Minister of Iraq.

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Security Council

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S/1998/166/Add.1
27 February 1998

ORIGINAL: ENGLISH

LETTER DATED 25 FEBRUARY 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Addendum

Letter dated 27 February 1998 from the Secretary-General
addressed to the President of the Security Council

Attached please find the report of the United Nations Technical Mission which I dispatched to Iraq to survey the “presidential sites” (annex I), along with a copy of my letter of 21 February 1998 addressed to the Deputy Prime Minister of Iraq (annex II).

I would appreciate it if the report and the letter could be brought to the attention of the members of the Security Council as an addendum to the document containing the Memorandum of Understanding signed on 23 February 1998 in Baghdad by the United Nations and the Republic of Iraq (S/1998/166).

As the materials referred to in the conclusions of the report of the Technical Mission are voluminous, the Secretariat is, therefore, making them available for consultation by delegations in the Executive Office of the Secretary-General. They will be available in the Map Room on the 38th floor between 2 and 5.30 p.m. from Monday to Friday. (Any enquiries in this regard may be addressed to Mr. Vladimir Grachev, ext. 3-3793.)

(Signed) Kofi A. ANNAN

Annex I

20 February 1998

Report of the United Nations Technical Mission to Iraq

I. GENERAL COMMENTS

1. The United Nations Technical Mission was guided by the enclosed terms of reference provided by the Executive Office of the Secretary-General.
2. The original team was composed of Staffan de Mistura, Team Coordinator, Peter Fodor (Austria), surveyor/engineer, and Wolfgang Eichel (Austria), surveyor.
3. Upon arrival, after meeting with the Government of Iraq, the team was joined by two additional full-fledged members: Jaakko Ylitalo, Deputy Director, United Nations Special Commission (UNSCOM), and Gerard Essertel, specialist in photo analysis (UNSCOM).
4. At the same meeting, the team asked and obtained from the Government of Iraq that:
 - (a) It would have access to the Government of Iraq's relevant maps and have the Government of Iraq clearly define the perimeters for each "presidential site" defined and identified as such by the Government;
 - (b) It could use helicopters to overfly any presidential site as required by the team;
 - (c) It could take aerial and ground photographs of each site and each building as wished by the team.
5. The team concluded its physical surveys at 2.30 p.m. on 18 February 1998 and worked daily from 6.30 a.m. to 11.00 p.m.

II. IMPLEMENTATION OF THE TERMS OF REFERENCE

6. The timetable available to the Mission was extremely short for such distant and different sites. The Mission was able to accomplish the following tasks listed in the second paragraph of its terms of reference:
 - (a) Definition on large-scale maps of the perimeter of all eight presidential sites as identified by the Government of Iraq;
 - (b) Determination of the approximate number, size, character and purpose of structures existing within each site.
7. For purely time-related reasons, the Mission was unable to elaborate on the maps the exact location of the buildings within each site since it gave priority to tasks (a) and (b) and also because some main buildings were already identified on the original maps.
8. On the other hand, the Mission went beyond its terms of reference by actually physically visiting as many buildings as it wished within its time limits. It should

also be noted that the Mission covered by aerial and ground photographs the sites in a much more comprehensive way than originally expected.

9. The survey covered the following presidential sites, identified as such by the Government of Iraq:

1. Republican Palace Presidential Site (Baghdad).
2. Radwaniyah Presidential Site (Baghdad).
3. Sijood Presidential Site (Baghdad).
4. Tikrit Presidential Site.
5. Thartar Presidential Site.
6. Jabal Nakhul Presidential Site.
7. Mosul Presidential Site.
8. Basra Presidential Site.

10. Sites 1, 2, 3, 4, 5 and 6 were extensively overflown by helicopter and then visited on the ground, perimeters were defined, both aerial photographs and ground photographs were taken and buildings were visited internally.

11. The same procedure applied for sites 7 and 8, except that they were not overflown, for two reasons: (a) the use of helicopters in the extreme north or south was considered by the United Nations side unnecessary in view of the current tense international environment; and (b) because of their size and location, ground photographs could be sufficient.

12. During their physical ground surveys the team did not identify large office buildings or barracks, with the exception of the Republican Palace Presidential Site, where they found office buildings for the presidential staff involved in running the daily work of the Government. In addition, within the Republican Palace Presidential Site, the team did identify a headquarters building for the Presidential Battalion and a nearby helicopter pad with two medium-size helicopter sheds. On 20 February 1998, the team asked to visit these facilities and did so on the same morning. Apart from the above, the team noted in all other presidential sites several sentry towers and/or guard rooms, but no military barracks as such.

13. All eight "presidential sites" visited appeared to be well defined by high walls or fences. They all had a rather similar landscape pattern: main guesthouses, with an integrated system of ancillary buildings and villas for accompanying dignitaries. Often an artificial lake with small artificial decorative islands located in a way to give access to the lake from each guesthouse.

14. The total area surveyed amounts to about 31.5 square kilometres. The largest presidential site, the Radwaniyah, totalled around 17.8 square kilometres and the smallest 0.8 square kilometres. The area covered by artificial lakes is estimated to add up to approximately 10.2 square kilometres.

15. The team experienced undisturbed access to all buildings they wished to survey and unrestricted authorization to take photographs.

16. At the specific request of the Government of Iraq, the United Nations team also surveyed internally and externally, while localizing it by global positioning system (GPS) coordinates, a specific building called Al Hyatt located within the Presidential Republican Palace Site. This building, which apparently in September 1997 had been a cause of contention between the Government of Iraq and UNSCOM, was photographed internally and visited extensively by the team.

17. The following senior officials of the Government of Iraq were available at hand for any questions or enquiries raised by the team: the Minister for Oil, Lt.-Gen. Amir Muhammad Rachid; the Deputy Foreign Minister, Dr. Raid Al Qaysi; the Director-General of Engineering of Presidential sites, Mr. Hussain Khadduia; the Director-General of the National Monitoring Governorate, Enecal Hassian Amin; and the Special Personal Secretary of the President of Iraq, Dr. Abid Mohammed.

III. PRACTICAL ARRANGEMENTS

18. The team was assisted by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in its external travel arrangements.

19. The team in Iraq received full-time assistance both from UNSCOM and the United Nations Office of the Humanitarian Coordinator for Iraq in terms of office personnel, logistical, communication and transport support.

20. For the actual identification of the coordinates of each perimeter, the team used two hand-held GPS sets (Garrin 45x) provided by UNSCOM.

21. The photographs were taken by the UNSCOM photo specialist, Gerald Essertel, using a Nikon F806 camera with films specially designed for both aerial and ground photographs. In total, 523 photographs were taken.

22. Both Government of Iraq and UNSCOM helicopters were used as necessary and ground transportation was arranged by the Government of Iraq, UNSCOM and the United Nations Office of the Humanitarian Coordinator for Iraq.

IV. CONCLUSIONS

23. The end result of this survey is enclosed herewith. It includes for each presidential site:^{1 2}

- (a) A global positioning system (GPS)-identified perimeter based on Government of Iraq indications. This perimeter is marked on the original map provided by the Executive Office of the Secretary-General to the Mission;
- (b) An outline of the actual area identified as the presidential site by the Government of Iraq, with its relevant GPS points and the calculation of its total size in square metres;
- (c) A list of GPS coordinates for each presidential site;
- (d) Two additional scale maps of each site;
- (e) A list of buildings estimated to be in each presidential site and a description of their approximate number, nature and utilization;
- (f) A complete set of photographs taken by air and by ground for each presidential site.

24. The members of the United Nations Technical Mission wish to express their appreciation to the Secretary-General for having entrusted them with this delicate technical mission.

(Signed) Staffan de MISTURA
Team Coordinator

Notes

¹ There are three separate and complementary maps for the Radwaniyah Presidential Site in view of its complex shape and size.

² The average maximum size of the main buildings listed as presidential guesthouses could be estimated as follows: large presidential guesthouse: 6,000 m² (2/3 floors), medium presidential guesthouse: 1,500 m² (2 floors) and small presidential guesthouse: 600 m² (1 floor), whereas the Presidential Republican Palace located in the Presidential Republican Site has the following approximate size: 33,000 m² (3/4 floors).

Annex II

Letter dated 21 February 1998 from the Secretary-General addressed to the Deputy Prime Minister of Iraq

I have the honour to share with you the end result of the survey of the “presidential sites” in Iraq implemented by the United Nations Technical Mission designated by me.

(Signed) Kofi A. ANNAN

UNITED
NATIONS

S



Security Council

Distr.
GENERAL

S/1998/208
9 March 1998

ORIGINAL: ENGLISH

LETTER DATED 9 MARCH 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1154 (1998) of 2 March 1998, by which the Council endorsed (in para. 1) the Memorandum of Understanding which I signed with the Deputy Prime Minister of Iraq in Baghdad on 23 February 1998 (S/1998/166) and requested me (in para. 2) to report to the Council as soon as possible with regard to the finalization of procedures for presidential sites in consultation with the Executive Chairman of the United Nations Special Commission (UNSCOM) and the Director General of the International Atomic Energy Agency (IAEA).

The specific detailed procedures have now been established in accordance with paragraph 4 (b) of the Memorandum of Understanding and are transmitted herewith. I should appreciate it if you would bring the above to the attention of the members of the Council.

(Signed) Kofi A. ANNAN

Annex

Procedures under paragraph 4 (b) of the Memorandum
of Understanding between the United Nations and the
Republic of Iraq of 23 February 1998

Introduction

1. On 23 February 1998, a Memorandum of Understanding was signed between the United Nations and the Republic of Iraq. In the Memorandum, the Government of Iraq, *inter alia*, reconfirmed its acceptance of all relevant resolutions of the Security Council, including resolutions 687 (1991) and 715 (1991). The Government of Iraq further reiterated its undertaking to cooperate

fully with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA). The Government of Iraq also undertook to accord to UNSCOM and IAEA immediate, unconditional and unrestricted access in conformity with all relevant resolutions.

2. For its part, the United Nations reiterated the commitment of all Member States to respect the sovereignty and territorial integrity of Iraq. In the performance of its mandate under the Security Council resolutions, UNSCOM undertook to respect Iraq's legitimate concerns relating to national security, sovereignty and dignity.

3. The Memorandum of Understanding contains specific provisions with respect to the eight presidential sites in Iraq. Special procedures shall apply to the initial and subsequent entries into those sites for the performance of mandated tasks. A Special Group shall be established by the Secretary-General of the United Nations in consultation with the Executive Chairman of UNSCOM and the Director General of IAEA. The Special Group shall comprise senior diplomats appointed by the Secretary-General and experts drawn from UNSCOM and IAEA. The Special Group shall be headed by a Commissioner appointed by the Secretary-General.

4. In carrying out its work, the Special Group shall, according to the Memorandum of Understanding, operate under the established procedures of UNSCOM and IAEA together with specific detailed procedures given the special nature of the presidential sites, in accordance with the relevant resolutions of the Security Council.

5. The present text constitutes those specific detailed procedures. They are drawn up by the Secretary-General under the authority of the Memorandum of Understanding.

Composition of the Special Group

6. The Special Group shall comprise senior diplomats, in the capacity of observers, appointed by the Secretary-General of the United Nations and experts drawn from UNSCOM and IAEA in the number deemed appropriate by the Executive Chairman of UNSCOM and the Director General of IAEA.

Teams of the Special Group

7. When it is determined in accordance with paragraph 13 below that there is a need to carry out mandated tasks¹ at a presidential site, a team shall be constituted from the Special Group.

8. The expert members of the team shall be designated by the Executive Chairman of UNSCOM and/or the Director General of IAEA having regard to the nature of the tasks to be performed. The Commissioner shall designate the senior diplomatic representatives from among those appointed by the Secretary-General, in no case less than two, to accompany the team.

9. The Executive Chairman of UNSCOM and/or the Director General of IAEA shall designate the Head of the team.
10. The team may be divided into sub-teams for the performance of specific tasks, if the Head of the team so decides.

Functions of senior diplomats

11. The functions of the senior diplomats shall be:
- (a) To observe that the provisions of the Memorandum of Understanding and the present specific detailed procedures are being implemented in good faith;
 - (b) To report on any matter they deem appropriate to the functions of the diplomatic observers, in accordance with paragraphs 19 and 20 below.

Functions of UNSCOM/IAEA experts

12. The functions of the experts drawn from UNSCOM and IAEA who participate in any team constituted from the Special Group shall be as already established under their respective procedures.

Determination of the need for entry into a presidential site

13. The Executive Chairman of UNSCOM and/or the Director General of IAEA shall determine the need, in each instance, for the performance of mandated tasks within a presidential site.

Determination of the time and date for entry into a presidential site

14. The Executive Chairman of UNSCOM and/or the Director General of IAEA shall determine the date and time for entry and shall so advise the Commissioner.
15. At a time determined by the Executive Chairman of UNSCOM and/or the Director General of IAEA, the Government of Iraq shall receive a notification from the Commissioner, or his designee, of the intention to undertake mandated tasks within a presidential site. This notification shall indicate the number of persons comprising the team who will participate, including the number of diplomatic representatives accompanying the team.

The rights of the Special Group

16. The rights of the Special Group and its teams in the conduct of their work shall be those provided for in the relevant resolutions of the Security Council; in the exchange of letters of May 1991 between the Secretary-General of the United Nations and the Minister for Foreign Affairs of Iraq regarding the status, privileges and immunities of the Special Commission, applicable mutatis mutandis to IAEA; and in the plans for ongoing monitoring and verification approved under Security Council resolution 715 (1991).

Special considerations

17. Upon entry into a presidential site, the team shall conduct itself in a manner consonant with the nature of the site. It shall take into consideration any observations the Iraqi representative may wish to make regarding entry into a particular structure and then decide upon the appropriate course of action. This shall not, however, impede the ability of the team to fulfil its tasks as mandated under the relevant Security Council resolutions.

Reporting

18. The report called for under paragraph 4 (c) of the Memorandum of Understanding, prepared by the Commissioner appointed by the Secretary-General, shall be submitted by the Executive Chairman of UNSCOM to the Security Council through the Secretary-General.

19. The senior diplomats may report directly to the Commissioner on any matter relevant to their functions.

20. The Commissioner will discuss with the Executive Chairman of UNSCOM and/or the Director General of IAEA any observations made by the senior diplomats, including any matters arising from such observations that should be conveyed to the competent Iraqi authorities. If he deems it necessary, the Commissioner may also report any matter arising out of the work of the senior diplomats to the Secretary-General and advise the Executive Chairman of UNSCOM and the Director General of IAEA accordingly.

Revisions

21. These specific detailed procedures may be revised from time to time in the light of experience in their implementation.

Notes

¹ Mandated tasks under the Security Council resolutions include those in section C of Security Council resolution 687 (1991); paragraph 3 of Security Council resolution 707 (1991); the plans for ongoing monitoring and verification approved by the Security Council in resolution 715 (1991); and the export/import regime approved by the Security Council in its resolution 1051 (1996).

UNITED
NATIONS

S



Security Council

Distr.
GENERAL

S/RES/1158 (1998)
25 March 1998

RESOLUTION 1158 (1998)

Adopted by the Security Council at its 3865th meeting,
on 25 March 1998

The Security Council,

Recalling its previous resolutions and, in particular, its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997 and 1153 (1998) of 20 February 1998,

Welcoming the report submitted on 4 March 1998 (S/1998/194 and Corr.1) by the Secretary-General in accordance with paragraph 4 of resolution 1143 (1997) and noting with appreciation, as mentioned in this report, the commitment expressed by the Iraqi Government to cooperate with the Secretary-General in the implementation of resolution 1153 (1998),

Concerned about the resulting humanitarian consequences for the Iraqi people of the shortfall in the revenue from the sale of petroleum and petroleum products during the first 90-day period of implementation of resolution 1143 (1997), due to the delayed resumption in the sale of petroleum by Iraq and a serious price drop since the adoption of resolution 1143 (1997),

Determined to avoid any further deterioration of the current humanitarian situation,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 1143 (1997) shall remain in force, subject to the provisions of resolution 1153 (1998), except that States are authorized to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions

directly relating thereto, sufficient to produce a sum not exceeding a total of 1.4 billion United States dollars within the period of 90 days from 00.01, Eastern Standard Time, on 5 March 1998;

2. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1175 (1998)
19 June 1998

RESOLUTION 1175 (1998)

Adopted by the Security Council at its 3893rd meeting,
on 19 June 1998

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998 and 1158 (1998) of 25 March 1998,

Welcoming the letter of the Secretary-General of 15 April 1998 (S/1998/330) annexing the summary of the report of the group of experts established pursuant to paragraph 12 of resolution 1153 (1998) and noting the assessment that under existing circumstances Iraq is unable to export petroleum or petroleum products sufficient to produce the total sum of 5.256 billion United States dollars referred to in resolution 1153 (1998),

Welcoming the letter of the Secretary-General of 29 May 1998 (S/1998/446) expressing his approval of the distribution plan submitted by the Government of Iraq, Convinced of the need to continue the programme authorized by resolution 1153 (1998) as a temporary measure to provide for the humanitarian needs of the Iraqi people until fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of those resolutions,

Reaffirming its endorsement, in paragraph 5 of resolution 1153 (1998), of the recommendations of the Secretary-General in his report of 1 February 1998 (S/1998/90) concerning an improved, ongoing and project-based distribution plan,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Authorizes States, subject to the provisions of paragraph 2 below, to permit, notwithstanding the provisions of paragraph 3 (c) of resolution 661 (1990), the export to Iraq of the necessary parts and equipment to enable

Iraq to increase the export of petroleum and petroleum products, in quantities sufficient to produce the sum established in paragraph 2 of resolution 1153 (1998);

2. Requests the Committee established by resolution 661 (1990), or a panel of experts appointed by that Committee for this purpose, to approve contracts for the parts and equipment referred to in paragraph 1 above according to lists of parts and equipment approved by that Committee for each individual project;

3. Decides that the funds in the escrow account produced pursuant to resolution 1153 (1998) up to a total of 300 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from contracts approved in accordance with paragraph 2 above;

4. Decides also that the expenses directly related to such exports may, until the necessary funds are paid into the escrow account, and following approval of each contract, be financed by letters of credit drawn against future oil sales, the proceeds of which are to be deposited in the escrow account;

5. Notes that the distribution plan approved by the Secretary-General on 29 May 1998, or any new distribution plan agreed by the Government of Iraq and the Secretary-General, will remain in effect, as required, for each subsequent periodic renewal of the temporary humanitarian arrangements for Iraq and that, for this purpose, the plan will be kept under constant review and amended as necessary through the agreement of the Secretary-General and the Government of Iraq and in a manner consistent with resolution 1153 (1998);

6. Expresses its gratitude to the Secretary-General for making available to the Committee established by resolution 661 (1990) a comprehensive review, with comments by the group of experts established pursuant to paragraph 12 of resolution 1153 (1998), of the list of parts and equipment presented by the Government of Iraq, and requests the Secretary-General, in accordance with the intention expressed in his letter of 15 April 1998, to provide for the monitoring of the parts and equipment inside Iraq;

7. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1194 (1998)
9 September 1998

RESOLUTION 1194 (1998)

Adopted by the Security Council at its 3924th meeting,
on 9 September 1998

The Security Council,

Recalling all its previous relevant resolutions, and in particular its resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997 and 1154 (1998) of 2 March 1998,

Noting the announcement by Iraq on 5 August 1998 that it had decided to suspend cooperation with the United Nations Special Commission and the International Atomic Energy Agency (IAEA) on all disarmament activities and restrict ongoing monitoring and verification activities at declared sites, and/or actions implementing the above decision,

Stressing that the necessary conditions do not exist for the modification of the measures referred to in section F of resolution 687 (1991),

Recalling the letter from the Executive Chairman of the Special Commission to the President of the Security Council of 12 August 1998 (S/1998/767), which reported to the Council that Iraq had halted all disarmament activities of the Special Commission and placed limitations on the rights of the Commission to conduct its monitoring operations,

Recalling also the letter from the Director General of the IAEA to the President of the Security Council of 11 August 1998 (S/1998/766) which reported the refusal by Iraq to cooperate in any activity involving investigation of its clandestine nuclear programme and other restrictions of access placed by Iraq on the ongoing monitoring and verification programme of the IAEA,

Noting the letters of 18 August 1998 from the President of the Security Council to the Executive Chairman of the Special Commission and the Director General of the IAEA (S/1998/769, S/1998/768), which expressed the full support of the Security Council for those organizations in the implementation of the full range of their mandated activities, including inspections, 98-26365 (E)

Recalling the Memorandum of Understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998 (S/1998/166), in which Iraq reiterated its undertaking to cooperate fully with the Special

Commission and the IAEA,

Noting that the announcement by Iraq of 5 August 1998 followed a period of increased cooperation and some tangible progress achieved since the signing of the Memorandum of Understanding,

Reiterating its intention to respond favourably to future progress made in the disarmament process and reaffirming its commitment to comprehensive implementation of its resolutions, in particular resolution 687 (1991),

Determined to ensure full compliance by Iraq with its obligations under all previous resolutions, in particular resolutions 687 (1991), 707 (1991), 715 (1991), 1060 (1996), 1115 (1997) and 1154 (1998), to permit immediate, unconditional and unrestricted access to the Special Commission and the IAEA to all sites which they wish to inspect, and to provide the Special Commission and the IAEA with all the cooperation necessary for them to fulfil their mandates under those resolutions,

Stressing the unacceptability of any attempts by Iraq to deny access to any sites or to refuse to provide the necessary cooperation,

Expressing its readiness to consider, in a comprehensive review, Iraq's compliance with its obligations under all relevant resolutions once Iraq has rescinded its above-mentioned decision and demonstrated that it is prepared to fulfil all its obligations, including, in particular on disarmament issues, by resuming full cooperation with the Special Commission and the IAEA consistent with the Memorandum of Understanding, as endorsed by the Council in resolution

1154 (1998), and to that end welcoming the proposal of the Secretary-General for such a comprehensive review and inviting the Secretary-General to provide his views in that regard,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the decision by Iraq of 5 August 1998 to suspend cooperation with the Special Commission and the IAEA, which constitutes a totally unacceptable contravention of its obligations under resolutions 687 (1991), 707 (1991), 715 (1991), 1060 (1996), 1115 (1997) and 1154 (1998), and the Memorandum of Understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998;
2. Demands that Iraq rescind its above-mentioned decision and cooperate fully with the Special Commission and the IAEA in accordance with its obligations under the relevant resolutions and the Memorandum of Understanding as well as resume dialogue with the Special Commission and the IAEA immediately;
3. Decides not to conduct the review scheduled for October 1998 provided

for in paragraphs 21 and 28 of resolution 687 (1991), and not to conduct any further such reviews until Iraq rescinds its above-mentioned decision of 5 August 1998 and the Special Commission and the IAEA report to the Council that they are satisfied that they have been able to exercise the full range of activities provided for in their mandates, including inspections;

4. Reaffirms its full support for the Special Commission and the IAEA in their efforts to ensure the implementation of their mandates under the relevant resolutions of the Council;

5. Reaffirms its full support for the Secretary-General in his efforts to urge Iraq to rescind its above-mentioned decision;

6. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution and notes that by its failure so far to comply with its relevant obligations Iraq has delayed the moment when the Council can do so;

7. Decides to remain seized of the matter.

UNITED NATIONS Security Council

Distr.
GENERAL
S/RES/1205 (1998)
5 November 1998

RESOLUTION 1205 (1998)

Adopted by the Security Council at its 3939th meeting,
on 5 November 1998

The Security Council,

Recalling all its previous relevant resolutions on the situation in Iraq, in particular its resolution 1154 (1998) of 2 March 1998 and 1194 (1998) of 9 September 1998,

Noting with alarm the decision of Iraq on 31 October 1998 to cease cooperation with the United Nations Special Commission, and its continued restrictions on the work of the International Atomic Energy Agency (IAEA),

Noting the letters from the Deputy Executive Chairman of the Special Commission of 31 October 1998 (S/1998/1023) and from the Executive Chairman of the Special Commission of 2 November 1998 (S/1998/1032) to the President of the Security Council, which reported to the Council the decision by Iraq and described the implications of that decision for the work of the Special Commission, and noting also the letter from the Director General of the IAEA of 3 November 1998 (S/1998/1033, annex) which described the implications of the decision for the work of the IAEA,

Determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) of 3 April 1991 and the other relevant resolutions,

Recalling that the effective operation of the Special Commission and the IAEA is essential for the implementation of resolution 687 (1991),

Reaffirming its readiness to consider, in a comprehensive review, Iraq's compliance with its obligations under all relevant resolutions once Iraq has rescinded its above-mentioned decision and its decision of 5 August 1998 and demonstrated that it is prepared to fulfil all its obligations, including in particular on disarmament issues, by resuming full cooperation with the Special Commission and the IAEA consistent with the Memorandum of Understanding signed 98-33914 (E) by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998 (S/1998/166), endorsed by the Council in resolution 1154 (1998),

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Condemns the decision by Iraq of 31 October 1998 to cease cooperation with the Special Commission as a flagrant violation of resolution 687 (1991) and other relevant resolutions;
2. Demands that Iraq rescind immediately and unconditionally the decision of 31 October 1998, as well as the decision of 5 August 1998, to suspend cooperation with the Special Commission and to maintain restrictions on the work of the IAEA, and that Iraq provide immediate, complete and unconditional cooperation with the Special Commission and the IAEA;
3. Reaffirms its full support for the Special Commission and the IAEA in their efforts to ensure the implementation of their mandates under the relevant resolutions of the Council;
4. Expresses its full support for the Secretary-General in his efforts to seek full implementation of the Memorandum of Understanding of 23 February 1998;
5. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution, and notes that by its failure so far to comply with its relevant obligations Iraq has delayed the moment when the Council can do so;
6. Decides, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security, to remain actively seized of the matter.

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**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1210 (1998)
24 November 1998

RESOLUTION 1210 (1998)

Adopted by the Security Council at its 3946th meeting,
on 24 November 1998

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998 and 1175 (1998) of 19 June 1998,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Welcoming the positive impact of the relevant resolutions on the humanitarian situation in Iraq as described in the report of the Secretary-General dated 19 November 1998 (S/1998/1100),

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 26 November 1998;
2. Further decides that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;

3. Directs the Committee established by resolution 661 (1990) to authorize, on the basis of specific requests, reasonable expenses related to the Hajj pilgrimage, to be met by funds in the escrow account;

4. Requests the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to review, by 31 December 1998, the various options to resolve the difficulties encountered in the financial process, referred to in the Secretary-General's report of 19 November 1998 (S/1998/1100), and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized;

5. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, on receipt of the reports referred to in paragraphs 6 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

6. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

7. Requests the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for in paragraph 2 above and, following consultations with relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of the sum expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

8. Decides that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. Requests the Secretary-General, in consultation with the Government of

Iraq, to submit to the Council, by 31 December 1998, a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. Urges all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

12. Appeals to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

13. Stresses the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

14. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1242 (1999)
21 May 1999

RESOLUTION 1242 (1999)

Adopted by the Security Council at its 4008th meeting,
on 21 May 1999

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998 and 1210 (1998) of 24 November 1998,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 25 May 1999;
2. Further decides that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;
3. Requests the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations

observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized;

4. Takes note that the Committee established by resolution 661 (1990) is reviewing various options, in particular the proposal made by the Secretary-General, as requested by paragraph 4 of resolution 1210 (1998), to resolve the difficulties encountered in the financial process referred to in the Secretary-General's report of 19 November 1998 (S/1998/1100);

5. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, on receipt of the reports referred to in paragraphs 6 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

6. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

7. Requests the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for in paragraph 2 above and, following consultations with relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of the sum expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

8. Decides that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. Requests the Secretary-General, in consultation with the Government of Iraq, to submit to the Council, by 30 June 1999, a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. Requests the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. Urges all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

12. Appeals to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

13. Stresses the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

14. Decides to keep these arrangements under review, including in particular those in paragraph 2 above, to ensure the uninterrupted flow of humanitarian supplies into Iraq, and expresses its willingness to review the relevant recommendations of the report of the panel established to review humanitarian issues (S/1999/356, annex II) as appropriate with regard to the 180-day period referred to in paragraph 1 above;

15. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1266 (1999)
4 October 1999

RESOLUTION 1266 (1999)

Adopted by the Security Council at its 4050th meeting,
on 4 October 1999

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998 and 1242 (1999) of 21 May 1999,

Recalling also the report of the Secretary-General of 19 August 1999 (S/1999/896), in particular, paragraphs 4 and 94,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that paragraph 2 of resolution 1153 (1998), as extended by resolution 1242 (1999), shall be modified to the extent necessary to authorize States to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly related thereto, sufficient to produce an additional sum, beyond that provided for by resolution 1242 (1999), equivalent to the total shortfall of revenues authorized but not generated under resolutions 1210 (1998) and 1153 (1998), 3.04 billion United States dollars, within the period of 180 days from 0001 hours, eastern standard time, on 25 May 1999;

2. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1275 (1999)
19 November 1999

RESOLUTION 1275 (1999)

Adopted by the Security Council at its 4070th meeting,
on 19 November 1999

The Security Council,

Recalling its resolutions 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to extend the period referred to in paragraphs 1, 2 and 8 of resolution 1242 (1999) and in paragraph 1 of 1266 (1999) until 4 December 1999;

2. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1280 (1999)
3 December 1999

RESOLUTION 1280 (1999)

Adopted by the Security Council at its 4077th meeting,
on 3 December 1999

The Security Council,

Recalling its resolutions 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999 and 1275 (1999) of 19 November 1999,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to extend the period referred to in paragraphs 1, 2 and 8 of resolution 1242 (1999) and in paragraph 1 of resolution 1266 (1999) until 11 December 1999;

2. Decides to remain seized of the matter.

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**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1281 (1999)
10 December 1999

RESOLUTION 1281 (1999)

Adopted by the Security Council at its 4079th meeting,
on 10 December 1999

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999 and 1275 (1999) of 19 November 1999, and 1280 (1999) of 3 December 1999,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 12 December 1999;
2. Further decides that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;
3. Requests the Secretary-General to continue to take the actions

necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized;

4. Further decides to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, on receipt of the reports referred to in paragraphs 5 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

5. Requests the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

6. Requests the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for in paragraph 2 above and, following consultations with the relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of sums expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

7. Decides that paragraph 3 of resolution 1210 (1998) shall apply to the new 180-day period referred to in paragraph 1 above;

8. Decides that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. Requests the Secretary-General, in consultation with the Government of Iraq, to submit to the Council no later than 15 January 2000 a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. Requests the Committee established by resolution 661 (1990), in close

coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. Urges all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

12. Appeals to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

13. Stresses the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

14. Decides to keep these arrangements under review including in particular those in paragraph 2 above, to ensure the uninterrupted flow of humanitarian supplies into Iraq, and expresses its determination to act without delay to address the recommendations of the report of the panel established to review humanitarian and other issues in Iraq (S/1999/356) in a further, comprehensive resolution;

15. Decides to remain seized of the matter.

**UNITED NATIONS
Security Council**

Distr.
GENERAL
S/RES/1284 (1999)
17 December 1999

RESOLUTION 1284 (1999)

Adopted by the Security Council at its 4084th meeting,
on 17 December 1999

The Security Council,

Recalling its previous relevant resolutions, including its resolutions 661 (1990) of 6 August 1990, 687 (1991) of 3 April 1991, 699 (1991) of 17 June 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1051 (1996) of 27 March 1996, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Recalling the approval by the Council in its resolution 715 (1991) of the plans for future ongoing monitoring and verification submitted by the Secretary-General and the Director General of the International Atomic Energy Agency (IAEA) in pursuance of paragraphs 10 and 13 of resolution 687 (1991),

Welcoming the reports of the three panels on Iraq (S/1999/356), and having held a comprehensive consideration of them and the recommendations contained in them,

Stressing the importance of a comprehensive approach to the full implementation of all relevant Security Council resolutions regarding Iraq and the need for Iraqi compliance with these resolutions,

Recalling the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons as referred to in paragraph 14 of resolution 687 (1991),

Concerned at the humanitarian situation in Iraq, and determined to improve that situation,

Recalling with concern that the repatriation and return of all Kuwaiti and third country nationals or their remains, present in Iraq on or after 2 August 1990, pursuant to paragraph 2 (c) of resolution 686 (1991) of 99-39609 (E) 171299 2 March 1991 and paragraph 30 of resolution 687 (1991), have not yet been fully carried out by Iraq,

Recalling that in its resolutions 686 (1991) and 687 (1991) the Council

demanded that Iraq return in the shortest possible time all Kuwaiti property it had seized, and noting with regret that Iraq has still not complied fully with this demand,

Acknowledging the progress made by Iraq towards compliance with the provisions of resolution 687 (1991), but noting that, as a result of its failure to implement the relevant Council resolutions fully, the conditions do not exist which would enable the Council to take a decision pursuant to resolution 687 (1991) to lift the prohibitions referred to in that resolution,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait, Iraq and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations, and taking into account that operative provisions of this resolution relate to previous resolutions adopted under Chapter VII of the Charter,

A.

1. Decides to establish, as a subsidiary body of the Council, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) which replaces the Special Commission established pursuant to paragraph 9 (b) of resolution 687 (1991);

2. Decides also that UNMOVIC will undertake the responsibilities mandated to the Special Commission by the Council with regard to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions, that UNMOVIC will establish and operate, as was recommended by the panel on disarmament and current and future ongoing monitoring and verification issues, a reinforced system of ongoing monitoring and verification, which will implement the plan approved by the Council in resolution 715 (1991) and address unresolved disarmament issues, and that UNMOVIC will identify, as necessary in accordance with its mandate, additional sites in Iraq to be covered by the reinforced system of ongoing monitoring and verification;

3. Reaffirms the provisions of the relevant resolutions with regard to the role of the IAEA in addressing compliance by Iraq with paragraphs 12 and 13 of resolution 687 (1991) and other related resolutions, and requests the Director General of the IAEA to maintain this role with the assistance and cooperation of UNMOVIC;

4. Reaffirms its resolutions 687 (1991), 699 (1991), 707 (1991), 715 (1991), 1051 (1996), 1154 (1998) and all other relevant resolutions and statements of its President, which establish the criteria for Iraqi compliance, affirms that the obligations of Iraq referred to in those resolutions and statements with regard to cooperation with the Special Commission, unrestricted access and provision of information will apply in respect of UNMOVIC, and

decides in particular that Iraq shall allow UNMOVIC teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport which they wish to inspect in accordance with the mandate of UNMOVIC, as well as to all officials and other persons under the authority of the Iraqi Government whom UNMOVIC wishes to interview so that UNMOVIC may fully discharge its mandate;

5. Requests the Secretary-General, within 30 days of the adoption of this resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Chairman of UNMOVIC who will take up his mandated tasks as soon as possible, and, in consultation with the Executive Chairman and the Council members, to appoint suitably qualified experts as a College of Commissioners for UNMOVIC which will meet regularly to review the implementation of this and other relevant resolutions and provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Council through the Secretary-General;

6. Requests the Executive Chairman of UNMOVIC, within 45 days of his appointment, to submit to the Council, in consultation with and through the Secretary-General, for its approval an organizational plan for UNMOVIC, including its structure, staffing requirements, management guidelines, recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues, and recognizing in particular the need for an effective, cooperative management structure for the new organization, for staffing with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including as he deems necessary from international arms control organizations, and for the provision of high quality technical and cultural training;

7. Decides that UNMOVIC and the IAEA, not later than 60 days after they have both started work in Iraq, will each draw up, for approval by the Council, a work programme for the discharge of their mandates, which will include both the implementation of the reinforced system of ongoing monitoring and verification, and the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which constitute the governing standard of Iraqi compliance, and further decides that what is required of Iraq for the implementation of each task shall be clearly defined and precise;

8. Requests the Executive Chairman of UNMOVIC and the Director General of the IAEA, drawing on the expertise of other international organizations as appropriate, to establish a unit which will have the responsibilities of the joint unit constituted by the Special Commission and the Director General of the IAEA under paragraph 16 of the export/import mechanism approved by resolution 1051 (1996), and also requests the Executive Chairman of UNMOVIC, in

consultation with the Director General of the IAEA, to resume the revision and updating of the lists of items and technology to which the mechanism applies;

9. Decides that the Government of Iraq shall be liable for the full costs of UNMOVIC and the IAEA in relation to their work under this and other related resolutions on Iraq;

10. Requests Member States to give full cooperation to UNMOVIC and the IAEA in the discharge of their mandates;

11. Decides that UNMOVIC shall take over all assets, liabilities and archives of the Special Commission, and that it shall assume the Special Commission's part in agreements existing between the Special Commission and Iraq and between the United Nations and Iraq, and affirms that the Executive Chairman, the Commissioners and the personnel serving with UNMOVIC shall have the rights, privileges, facilities and immunities of the Special Commission;

12. Requests the Executive Chairman of UNMOVIC to report, through the Secretary-General, to the Council, following consultation with the Commissioners, every three months on the work of UNMOVIC, pending submission of the first reports referred to in paragraph 33 below, and to report immediately when the reinforced system of ongoing monitoring and verification is fully operational in Iraq;

B.

13. Reiterates the obligation of Iraq, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third country nationals referred to in paragraph 30 of resolution 687 (1991), to extend all necessary cooperation to the International Committee of the Red Cross, and calls upon the Government of Iraq to resume cooperation with the Tripartite Commission and Technical Subcommittee established to facilitate work on this issue;

14. Requests the Secretary-General to report to the Council every four months on compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third country nationals or their remains, to report every six months on the return of all Kuwaiti property, including archives, seized by Iraq, and to appoint a high-level coordinator for these issues;

C.

15. Authorizes States, notwithstanding the provisions of paragraphs 3 (a), 3 (b) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of any volume of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, as required for the purposes and on the conditions set out in paragraph 1 (a) and (b) and subsequent provisions of resolution 986 (1995) and related resolutions;

16. Underlines, in this context, its intention to take further action,

including permitting the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purpose and provisions of resolution 986 (1995) and related resolutions;

17. Directs the Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of humanitarian items, including foodstuffs, pharmaceutical and medical supplies, as well as basic or standard medical and agricultural equipment and basic or standard educational items, decides, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraph 8 (a) and 8 (b) of resolution 986 (1995), and requests the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

18. Requests the Committee established by resolution 661 (1990) to appoint, in accordance with resolutions 1175 (1998) and 1210 (1998), a group of experts, including independent inspection agents appointed by the Secretary-General in accordance with paragraph 6 of resolution 986 (1995), decides that this group will be mandated to approve speedily contracts for the parts and the equipments necessary to enable Iraq to increase its exports of petroleum and petroleum products, according to lists of parts and equipments approved by that Committee for each individual project, and requests the Secretary-General to continue to provide for the monitoring of these parts and equipments inside Iraq;

19. Encourages Member States and international organizations to provide supplementary humanitarian assistance to Iraq and published material of an educational character to Iraq;

20. Decides to suspend, for an initial period of six months from the date of the adoption of this resolution and subject to review, the implementation of paragraph 8 (g) of resolution 986 (1995);

21. Requests the Secretary-General to take steps to maximize, drawing as necessary on the advice of specialists, including representatives of international humanitarian organizations, the effectiveness of the arrangements set out in resolution 986 (1995) and related resolutions including the humanitarian benefit to the Iraqi population in all areas of the country, and further requests the Secretary-General to continue to enhance as necessary the United Nations observation process in Iraq, ensuring that all supplies under the humanitarian programme are utilized as authorized, to bring to the attention of the Council any circumstances preventing or impeding effective and equitable distribution and to keep the Council informed of the steps taken towards the implementation of this paragraph;

22. Requests also the Secretary-General to minimize the cost of the United Nations activities associated with the implementation of resolution 986 (1995)

as well as the cost of the independent inspection agents and the certified public accountants appointed by him, in accordance with paragraphs 6 and 7 of resolution 986 (1995);

23. Requests further the Secretary-General to provide Iraq and the Committee established by resolution 661 (1990) with a daily statement of the status of the escrow account established by paragraph 7 of resolution 986 (1995);

24. Requests the Secretary-General to make the necessary arrangements, subject to Security Council approval, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services;

25. Directs the Committee established by resolution 661 (1990) to take a decision on all applications in respect of humanitarian and essential civilian needs within a target of two working days of receipt of these applications from the Secretary-General, and to ensure that all approval and notification letters issued by the Committee stipulate delivery within a specified time, according to the nature of the items to be supplied, and requests the Secretary-General to notify the Committee of all applications for humanitarian items which are included in the list to which the export/import mechanism approved by resolution 1051 (1996) applies;

26. Decides that Hajj pilgrimage flights which do not transport cargo into or out of Iraq are exempt from the provisions of paragraph 3 of resolution 661 (1990) and resolution 670 (1990), provided timely notification of each flight is made to the Committee established by resolution 661 (1990), and requests the Secretary-General to make the necessary arrangements, for approval by the Security Council, to provide for reasonable expenses related to the Hajj pilgrimage to be met by funds in the escrow account established by resolution 986 (1995);

27. Calls upon the Government of Iraq:

(i) to take all steps to ensure the timely and equitable distribution of all humanitarian goods, in particular medical supplies, and to remove and avoid delays at its warehouses;

(ii) to address effectively the needs of vulnerable groups, including children, pregnant women, the disabled, the elderly and the mentally ill among others, and to allow freer access, without any discrimination, including on the basis of religion or nationality, by United Nations agencies and humanitarian organizations to all areas and sections of the population for evaluation of their nutritional and humanitarian condition;

(iii) to prioritize applications for humanitarian goods under the arrangements set out in resolution 986 (1995) and related resolutions;

(iv) to ensure that those involuntarily displaced receive humanitarian assistance without the need to demonstrate that they have resided for six months in their places of temporary residence;

(v) to extend full cooperation to the United Nations Office for Project Services mine-clearance programme in the three northern Governorates of Iraq and to consider the initiation of the demining efforts in other Governorates;

28. Requests the Secretary-General to report on the progress made in meeting the humanitarian needs of the Iraqi people and on the revenues necessary to meet those needs, including recommendations on necessary additions to the current allocation for oil spare parts and equipment, on the basis of a comprehensive survey of the condition of the Iraqi oil production sector, not later than 60 days from the date of the adoption of this resolution and updated thereafter as necessary;

29. Expresses its readiness to authorize additions to the current allocation for oil spare parts and equipment, on the basis of the report and recommendations requested in paragraph 28 above, in order to meet the humanitarian purposes set out in resolution 986 (1995) and related resolutions;

30. Requests the Secretary-General to establish a group of experts, including oil industry experts, to report within 100 days of the date of adoption of this resolution on Iraq's existing petroleum production and export capacity and to make recommendations, to be updated as necessary, on alternatives for increasing Iraq's petroleum production and export capacity in a manner consistent with the purposes of relevant resolutions, and on the options for involving foreign oil companies in Iraq's oil sector, including investments, subject to appropriate monitoring and controls;

31. Notes that in the event of the Council acting as provided for in paragraph 33 of this resolution to suspend the prohibitions referred to in that paragraph, appropriate arrangements and procedures will need, subject to paragraph 35 below, to be agreed by the Council in good time beforehand, including suspension of provisions of resolution 986 (1995) and related resolutions;

32. Requests the Secretary-General to report to the Council on the implementation of paragraphs 15 to 30 of this resolution within 30 days of the adoption of this resolution;

D.

33. Expresses its intention, upon receipt of reports from the Executive Chairman of UNMOVIC and from the Director General of the IAEA that Iraq has cooperated in all respects with UNMOVIC and the IAEA in particular in fulfilling

the work programmes in all the aspects referred to in paragraph 7 above, for a period of 120 days after the date on which the Council is in receipt of reports from both UNMOVIC and the IAEA that the reinforced system of ongoing monitoring and verification is fully operational, to suspend with the fundamental objective of improving the humanitarian situation in Iraq and securing the implementation of the Council's resolutions, for a period of 120 days renewable by the Council, and subject to the elaboration of effective financial and other operational measures to ensure that Iraq does not acquire prohibited items, prohibitions against the import of commodities and products originating in Iraq, and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of resolution 687 (1991) or those to which the mechanism established by resolution 1051 (1996) applies;

34. Decides that in reporting to the Council for the purposes of paragraph 33 above, the Executive Chairman of UNMOVIC will include as a basis for his assessment the progress made in completing the tasks referred to in paragraph 7 above;

35. Decides that if at any time the Executive Chairman of UNMOVIC or the Director General of the IAEA reports that Iraq is not cooperating in all respects with UNMOVIC or the IAEA or if Iraq is in the process of acquiring any prohibited items, the suspension of the prohibitions referred to in paragraph 33 above shall terminate on the fifth working day following the report, unless the Council decides to the contrary;

36. Expresses its intention to approve arrangements for effective financial and other operational measures, including on the delivery of and payment for authorized civilian commodities and products to be sold or supplied to Iraq, in order to ensure that Iraq does not acquire prohibited items in the event of suspension of the prohibitions referred to in paragraph 33 above, to begin the elaboration of such measures not later than the date of the receipt of the initial reports referred to in paragraph 33 above, and to approve such arrangements before the Council decision in accordance with that paragraph;

37. Further expresses its intention to take steps, based on the report and recommendations requested in paragraph 30 above, and consistent with the purpose of resolution 986 (1995) and related resolutions, to enable Iraq to increase its petroleum production and export capacity, upon receipt of the reports relating to the cooperation in all respects with UNMOVIC and the IAEA referred to in paragraph 33 above;

38. Reaffirms its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the termination of prohibitions referred to in that resolution;

39. Decides to remain actively seized of the matter and expresses its intention to consider action in accordance with paragraph 33 above no later than 12 months from the date of the adoption of this resolution provided the

conditions set out in paragraph 33 above have been satisfied by Iraq.

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**UNITED NATIONS
Security Council**

Distr.
S/1999/356
30 March 1999

ORIGINAL:
ENGLISH

LETTER DATED 27 MARCH 1999, FROM THE CHAIRMAN
OF THE PANELS ESTABLISHED PURSUANT TO THE NOTE BY THE
PRESIDENT OF THE SECURITY COUNCIL OF 30 JANUARY 1999
(S/1999/100) ADDRESSED TO
THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the note by the President of the Security Council(S/1999/100), I have the honour to attach the final report of the panel on disarmament and current and future ongoing monitoring and verification issues (annex I), which was adopted today, 27 March 1999.

As soon as the panel on humanitarian issues and the panel on prisoners of war and Kuwaiti property conclude their work, I will be ready to present the three reports to the Security Council.

(Signed) Celso L. N. AMORIM
Ambassador

Letter dated 30 March 1999 from the Chairman of the panels
established pursuant to the note by the President of the
Security Council of 30 January 1999 (S/1999/100) addressed
to the President of the Security Council

With reference to the note by the President of the Security Council (S/1999/100) and to the letter dated 27 March 1999, which forwarded the report of the panel on disarmament and current and future ongoing monitoring and verification issues, I have the honour to attach herewith the final report of the panel on humanitarian issues (annex II), as well as the final report of the panel on prisoners of war and Kuwaiti property (annex III), which were adopted today, 30 March 1999.

As stated before, I am ready to present the three reports to the Security Council at an appropriate moment.

(Signed) Celso L. N. AMORIM
Ambassador

Annex I

REPORT OF THE FIRST PANEL ESTABLISHED PURSUANT TO THE
NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL ON 30
JANUARY 1999(S/1999/100), CONCERNING DISARMAMENT
AND CURRENT AND FUTURE ONGOING MONITORING AND
VERIFICATION ISSUES

1. The panel on disarmament and current and future ongoing monitoring and verification issues, established pursuant to the note issued by the President of the Security Council on 30 January 1999 (S/1999/100), is submitting its report to the Security Council in accordance with paragraphs 1, 2, 3 and 4 of the aforementioned note.

I) Mandate, composition, working methods and plans of work

2. The panel was constituted in the context of increasing concern, among Security Council members, with the interruption of United Nations activities in Iraq in the area of disarmament/ongoing monitoring and verification, in particular since mid-December. During the discussions in the month of January, Security Council members felt that it was urgent to consider the parallel objectives of re-establishing an effective presence of the United Nations and the International Atomic Energy Agency (IAEA) in Iraq in the area of disarmament/prevention of development of proscribed weapons and addressing the humanitarian needs of the Iraqi people. In parallel, the issues of prisoners of war and Kuwaiti property were also brought to the fore.

3. On 30 January 1999, the Security Council decided that it would be useful to establish three separate panels on Iraq and to receive recommendations from them no later than 15 April 1999. In paragraph 2 of document S/1999/100, the Security Council invited Ambassador Celso L. N. Amorim of Brazil to chair each of the panels.

4. The constitution of the panel on disarmament and current and future ongoing monitoring and verification was defined in paragraph 4 of document S/1999/100, which reads as follows: “The first panel, on disarmament and current and future ongoing monitoring and verification issues, would involve the participation and expertise from the United Nations Special Commission, the International Atomic Energy Agency, the United Nations Secretariat, and any other relevant expertise. The panel would assess all the existing and relevant information available, including data from ongoing monitoring and verification, relating to the state of disarmament in Iraq”.

5. As announced by the Chairman on 12 February 1999, the first panel was composed as follows: Ichiro Akiyama, Jacques Baute, Kaluba Chitumbo, Ron Cleminson, Rachel Davies, Jayantha Dhanapala, Charles Duelfer, Roberto Garcia Moritan, Gennady Gatilov, Gabriele Kraatz-Wadsack, Hideyo Kurata, Liu Jieyi, Johan Molander, Jack Ooms, Daniel Parfait, GianPiero Perrone, Horst Reeps, Paul Schulte, Tom Shea, and Nikita Smidovich.

6. The panel met from 23 to 27 February and from 22 to 27 March. Taking into account paragraph 3 of document S/1999/100, the Chairman held consultations with panel participants and members of the Security Council on appropriate working methods and plans of work. The panel decided that it should assess, from a technical point of view and a broad perspective, the work of the United Nations and IAEA in Iraq in the area of disarmament /ongoing monitoring and verification of proscribed weapons. To this end, the panel considered information from a variety of sources and heard short briefings on different aspects: (I) the ongoing monitoring and verification regime; (II) the export/import monitoring mechanism; (III) the nuclear, missile, chemical weapons and biological weapons areas; and (IV) overhead imagery.

7. In accordance with the note by the President of the Security Council, the main objective of the panel was “to make recommendations to the Security Council on how, taking into account relevant Security Council resolutions, to reestablish an effective disarmament/ongoing monitoring and verification regime in Iraq. This mandate reflects the Security Council assessment that an effective presence of inspectors on the ground remains the most effective way to provide assurance that Iraq does not retain, acquire or rebuild its proscribed weapons programmes.

II) Introductory questions

8. The phrasing of the mandate (how... to re-establish”, etc.) carries with it an implicit recognition that the task of getting inspector’s back to Iraq is not self-evident. In effect, the panel has been asked to contribute to such an objective by devising technically feasible options which the Security Council may choose to implement. The panel recognized that the scope of its mandate implied that it would devise its recommendations from a technical, and not a political, point of view, while conceding that it could not ignore the political and indeed the legal context in which those deliberations were taking place. The panel deliberated against the background of discussions in the Council, where a number of proposals on how to address the present situation are still under consideration. On the one hand, a clear line had to be drawn between what is technical, and therefore germane to the panel’s work, and what is political in its content, which is the exclusive province of the Security Council. On the other hand, the panel had to be conscious that some of the technical options may propitiate political consequences if the Security Council so decides.

9. In the context of the debate on the above mentioned proposals, the President of the Security Council for the month of January presented the following question to Council members: “while recognizing that there may be disarmament tasks to be carried out, wouldn’t it be possible to perform those tasks, with a renewed approach, under a reinforced Ongoing Monitoring and Verification (OMV) system (With disarmament elements factored into it)?” This question helped to focus the discussions on ways to move forward in the short-term and may be viewed as being at the origin of the establishment of the panel on disarmament/ongoing monitoring and verification. The same question

was presented to panel members.

10. Always bearing in mind the mandate conferred upon it by the Security Council, the panel decided that it should first achieve an understanding of the current status of disarmament/ongoing monitoring and verification in that country. Such a discussion could neither be exhaustive nor excessively detailed, but a broad overview of the work undertaken by the United Nations and IAEA in Iraq to date, including their cooperative arrangements, was considered useful.

11. A further step was to evaluate, bearing in mind the basic elements of the OMV regime, as conceived in the plans approved by resolution 715, as well as the need of ensuring the full implementation of all relevant Security Council resolutions regarding Iraq, in particular resolutions 687, 707, 715 and 1051, the possibility of addressing remaining disarmament issues/areas of uncertainty through their integration into a reinforced OMV regime. By providing a satisfactory answer to the fundamental question of whether it is feasible to factor those outstanding issues into an OMV developed to its full potentiality, while avoiding policy judgements, the panel might be enlarging the scope of options for the Security Council.

III) Disarmament

12. Panel members had it clear that it was not their objective to evaluate, in its minute detail, every single aspect of each particular proscribed weapons area. Such an assessment had been made on a number of occasions by the competent institutions in charge of the disarmament/ongoing monitoring verification work in Iraq and is included in various reports to the Security Council, which were presented to the panel as part of the “existing and relevant Information available”. Therefore, what follows is not an attempt to summarize such assessments (much less to substitute for existing papers) but an indication of subjects discussed, in relation to which different shades of opinion were expressed.

13. The panel heard briefings by experts from the United Nations Special Commission (UNSCOM) and the IAEA on the current status of disarmament/ongoing monitoring and verification in the four proscribed weapons areas (nuclear, missiles, chemical, biological). These briefings were, concentrated on specific priority disarmament issues. In the case of UNSCOM this reflected its understanding of the desire of the Council to focus on selected important parts of the requirements of its resolutions. UNSCOM has decided to work on the basis of priority issues, setting aside other aspects such as proscribed weapons research and development activities, procurement, etc. The satisfactory resolution of these priority questions would considerably increase the level of confidence of UNSCOM’s overall verification. If the priority issues are not satisfactorily resolved, then it is likely that the settlement of other outstanding disarmament issues will assume greater importance. The Iraqi Government provided the Chairman with some documentation with its views on the disarmament/ongoing monitoring and verification process. This documentation was also considered by the panel.

Nuclear Weapons

Achievements

14. The IAEA has been able, in the course of its eight years of extensive inspection activities, to develop a technically coherent picture of Iraq's clandestine nuclear programme covering the stages from the production and procurement of natural uranium compounds, through Iraq's development of enrichment processes, to the design and experimental work for the eventual weaponization of highly enriched uranium. Iraq's programme had been very well funded and was aimed at the development and production of a small arsenal of nuclear weapons, but there were no indications that Iraq had achieved its programme's objective. Most of the IAEA activities involving the destruction, removal and rendering harmless of the components of Iraq's nuclear weapons programme which to date have been revealed and destroyed were completed by the end of 1992. In February 1994, the IAEA completed the removal from Iraq of all weapon-usable nuclear material essentially research reactor fuel. On the basis of its findings, the Agency is able to state that there is no indication that Iraq possesses nuclear weapons or any meaningful amounts of weapon-usable nuclear material or that Iraq has retained any practical capability (facilities or hardware) for the production of such material.

Current status/remaining questions

15. In the nuclear weapons area, questions remain with regard to the lack of certain technical documentation, external assistance to Iraq's clandestine nuclear weapons programme and Iraq's abandonment of its nuclear weapons programme. However, the uncertainty deriving from those few remaining concerns does not present any technical impediment to the full implementation of the IAEA's OMV plan. Iraq has yet to adopt the necessary measures to implement its obligations under relevant Security Council resolutions and enact penal laws to secure their enforcement. This issue applies to the other proscribed weapons areas as well.

Proscribed Missiles

Achievements

16. With regard to items selected as key for the purpose of the verification of the material balance of proscribed missiles and related operational assets, UNSCOM was able to destroy or otherwise account for: (a) 817 out of 819 imported operational missiles of proscribed range; (b) all declared mobile launchers for proscribed Al Hussein class missiles, including 14 operational launchers; the disposition of 9 of the 10 imported trailers used for the indigenous production of mobile launchers; and the destruction of 56 fixed missile launch sites; (c) 73 to 75 chemical and biological warheads of the declared 75 operational special warheads for Al Hussein class missiles; 83 of the 107 imported and some 80 of the 103 indigenously produced conventional warheads declared by Iraq to be in its possession at the time of the adoption of resolution 687.

17. As a means to compensate for Iraq's failure to present required evidence for the establishment of a material balance of the critical components for the indigenous production of proscribed missiles, UNSCOM has established a rough correlation between the total estimated weight of engine components and, the total weight of ingots and other remnants presented by Iraq as a result of its unilateral destruction. UNSCOM has also concluded that Iraq does not possess a capability to indigenously produce either BADR-2000 missiles or assets known as the 'Supergun'. UNSCOM has obtained a broad understanding of Iraq's efforts to develop a missile delivery system for nuclear weapon's and a detailed picture of Iraq's procurement effort for its proscribed missile programmes.

Current status/remaining questions

18. In the missiles area, the main concerns mentioned during the briefing related to the determination whether or not the current assessment of the quantity of special warheads identified among the remnants excavated accounts for all special warheads declared to have been produced by Iraq or if the declaration is indeed correct. Satisfactory resolution of the following issues was considered essential for the achievement of a satisfactory material balance: a) the reasons why no remnants of 50 conventional warheads declared as unilaterally destroyed were recovered; b) accounting for proscribed propellants claimed to have been unilaterally destroyed; c) accounting for the unilateral destruction of seven indigenously produced missiles; d) accounting for the unilateral destruction of combustion chamber/nozzle assemblies for indigenously produced missiles.

Chemical Weapons

Achievements

19. UNSCOM has supervised or been able to certify the destruction,, removal or rendering harmless of large quantities of chemical weapons (CW), their components and major chemical weapons production equipment as follows: (a) over 88,000 filled and unfilled chemical munitions; (b) over 600 tonnes of weaponized and bulk CW agents; (c) some 4,000 tonnes of precursor chemicals; (d) some 980 pieces of key production equipment; (e) some 300 pieces of analytical instruments. The prime CW development and production complex in Iraq was dismantled and closed under UNSCOM supervision and other identified facilities have been put under monitoring. It was pointed out that UNSCOM has been able to establish material balances of major weapon-related elements of Iraq's CW programme only on the basis of parameters as declared by Iraq but not fully verified by UNSCOM.

20. UNSCOM has been able to make considerable progress in the verification of other CW-related activities in Iraq, among them the uncovering of Iraq's VX project, CW research and development projects, Iraq's procurement network and efforts for its CW programme. On the basis of all these findings, UNSCOM obtained a good understanding of the major parameters of Iraq's CW programme.

Current status/remaining questions

21. In the chemical weapons area it was noted during the briefing that satisfactory resolution is required especially with regard to: a) discrepancies with Iraq's declarations on the expenditure of CW munitions in the 80s, as indicated by figures contained in a document detailing consumption of special munitions by Iraq; b) evidence of 550 artillery shells filled with mustard declared to have been lost shortly after the Gulf War; c) accounting for five hundred R-400 bombs, which could be done through the verification of the disposition of the parachute tail sections of those bombs; d) Iraqi declarations on the production and weaponization of the chemical agent VX, in particular with regard to the military plans for the use of VX during various periods, the different precursors available and the synthetic routes pursued; and e) the material balance of CW production equipment.

Biological Weapons

Achievements

22. UNSCOM uncovered the proscribed biological weapons programme of Iraq, whose complete existence had been concealed by Iraq until 1995. This and subsequent work has permitted it to obtain significant insights into Iraq's biological warfare capabilities, including a broad understanding of the main delivery systems. UNSCOM has also gained a detailed, albeit incomplete, picture of Iraq's procurement activities for its biological warfare programme.

23. UNSCOM ordered and supervised the destruction of Iraq's main declared BW production and development facility, Al Hakam. Some 60 pieces of equipment from three other facilities involved in proscribed BW activities as well as some 22 tonnes of growth media for BW production collected from four other facilities were also destroyed. As a result, the declared facilities of Iraq's BW programme have been destroyed and rendered harmless.

Current status/remaining questions

24. In the biological area, Iraq's Full Final and Complete Disclosure (FFCD) has not been accepted by UNSCOM as a full account of Iraq's BW programme. A full disclosure of the scope and nature of the programme was considered outstanding by UNSCOM. The briefing indicated that this evaluation was corroborated by technical evaluation meetings called by UNSCOM including at the request of Iraq. The briefing also indicated that critical gaps need to be filled to arrive at a reasonably complete picture. It has also been recognized that due to the fact that BW agents can be produced using low technology and simple equipment, generally dual-use, Iraq possesses the capability and knowledge base through which biological warfare agents could be produced quickly and in volume.

25. The elements presented above indicate that, in spite of well-known

difficult circumstances, UNSCOM and IAEA have been effective in uncovering and destroying many elements of Iraq's proscribed weapons programmes in accordance with the mandate provided by the Security Council. It is the panel's understanding that IAEA has been able to devise a technically coherent picture of Iraq's nuclear weapons programme. UNSCOM has achieved considerable progress in establishing material balances of Iraq's proscribed weapons. Although important elements still have to be resolved, the bulk of Iraq's proscribed weapons programmes has been eliminated. In this connection, reference was made to a possible "point of impasse" in the further investigation of these issues under the current procedures which might correspond to an apparent diminishing return in recent years.

26. Although there were differences in the panel members' perception and understanding of remaining issues, including as regards their relevance to the overall verification process, It is evident that a satisfactory resolution of certain areas, in particular those identified as priority, would contribute to the overall assurance that any disarmament and/or monitoring and verification mechanism could provide. Or, in other words, there seems to be an inverse correlation between resolution of those issues by Iraq and the overall degree of intrusiveness of the regime to be implemented.

27. It has been indicated on various occasions that "some uncertainty is inevitable in any country-wide technical verification process which aims to prove the absence of readily concealable objects or activities. The extent to 'which such uncertainty is acceptable is a policy judgement'. Both UNSCOM and IAEA have therefore been adopting a pragmatic approach which assumes that 100% of verification may be an unattainable goal.

IV) Ongoing Monitoring and Verification

28. The OMV system was conceived to provide assurance that Iraq is not undertaking proscribed activities. The plans approved by resolution 715 (docs. S/22871/Rev.1 and 22872/Rev.1) establish the mechanisms for the monitoring and verification of Iraq. The dynamic nature of these mandates implies that procedures and practices under the Plans may be continuously adjusted. Key among the tools given by the Security Council to both IAEA and UNSCOM under the Plans are full and free access at any time to all sites, facilities, areas, locations, activities, materials and other items, including documentation, and to all persons and all Information that, in the judgement of IAEA and UNSCOM, may be necessary for their monitoring activities.

Adopted procedures and practices to date

29. The IAEA's monitoring plan has been operational since August 1994. Since that time, work has continued in order to increase the scope and technology of OMV measures, although it is recognized that any OMV mechanism will always encompass a component of disarmament of varying degrees. The Agency's OMV plan is designed to give assurances as to the absence of prohibited equipment, materials and activities. The plan takes fully into

account the extensive technological expertise developed by Iraq in the course of its clandestine nuclear programme. The Plan also takes into account the uncertainties referred to in paragraph 15 above and is predicated on the assumption that Iraq retains the capability to exploit, for nuclear weapons purposes, any relevant material or technology to which it may gain access in the future.

30. The design and operation, since 1994, of UNSCOM's monitoring system have been based on a number of assumptions regarding the conditions under which the Plan for OMV would be implemented. It was believed that, before proceeding exclusively to monitoring and verification activities, the Commission would receive, from Iraq, full and complete disclosures of all its proscribed activities and capabilities and that the identification and disposal of all proscribed weapons, materials and programmes would have been achieved. Based on this expectation, the way UNSCOM had been pursuing the monitoring and verification system was not designed to search for proscribed weapons and materials. This task has been carried out by UNSCOM separately through disarmament activities and Investigations. In view of this Atwo-track@ approach UNSCOM was able to conduct its monitoring activities in the least Intrusive manner, consistent with the objectives for ongoing monitoring and verification set forth by the Security Council.

Current status

31. Inspectors from both the Agency and the Special Commission departed from Iraq on 16 December 1998. As a consequence, the OMV plans are not operational at this moment.

V) Relationship between disarmament and ongoing monitoring and verification

Integration, including legal aspects

32. The briefings referred to above demonstrated clearly that although disarmament and monitoring and verification address different dimensions of the broader problematic of disarmament/reacquisition of proscribed weapons, both can be implemented through the use of the same - or similar - tools. Disarmament assumes the existence of proscribed weapons and/or capabilities, which must be located, accounted for and, eventually, disposed of. The monitoring and verification system's immediate goal is to attempt to determine that proscribed activities are not being carried out. Experience has shown, however, that actions in disarmament/ongoing monitoring and verification can be mutually supportive, and that there are many similarities and complementarities between them. Both can be achieved, in an integrated fashion, through the use of on-site inspections with full access, including no-notice inspections, sample analysis, aerial surveillance, evaluation of documentation, interviews, installed monitoring equipment, or, most effectively, a combination of them.

33. Discussions in the panel have also revealed that, from a technical

standpoint, the ongoing monitoring and verification is not incompatible with the continuing search for satisfactory resolution of outstanding elements from proscribed weapons programmes. It was made clear that UNSCOM's decision to separate aspects related to monitoring from those related to disarmament had been taken at the executive level, based on certain assumptions that seemed to be warranted at the time. It was recognized however, that it is technically possible to carry out further the resolution of remaining issues mentioned above under the framework of OMV, provided adequate arrangements are established to ensure the full exercise of the rights contemplated by the Plans. The panel recognized that, due to different degrees of confidence, more effort should be placed in areas which have caused greater concern, as seems to be the case in the biological and some chemical weapons areas. In order to be effective, the reinforced OMV system should be able not only to certify that present activities are in accordance with Security Council resolutions but also to address unresolved issues, whenever necessary. Indeed, the retention of the right to investigate any aspect of proscribed weapons programmes would be a fundamental element of the integrated system. As in the case of disarmament, cooperation by Iraq is essential.

Legal framework

34. The reinforced OMV system should be based on the full implementation of the plans for ongoing monitoring and verification approved by Security Council resolution 715 (1991), provided the rights enshrined therein and In resolutions 687, 707 and 1051 are fully exercised. The plans establish that the IAEA and UNSCOM should, through inspections and aerial overflights, as well as through the provision of information by Iraq, monitor and verify that activities, sites, facilities, material and other items, both military and civilian, are not used by Iraq in contravention of its obligations under relevant Security Council resolutions. It is understood that, for operational reasons, the full potential of UNSCOM's plan has never been explored. The existing plans provide an adequate legal framework for implementing a rigorous and effective system of monitoring and verification, and thus for integrating into it the investigation of unresolved issues regarding proscribed weapons programmes.

35. The possibility of continuing the investigation of proscribed weapons programmes under the reinforced monitoring regime is explicitly provided for in the plans. Paragraphs 22 and 23 of the plan presented by UNSCOM and 36 and 37 of the IAEA's Plan refer to the discovery of any item, including documentation, or activity in contravention of resolutions 687, 707 or of the Plan. Paragraph 24 of UNSCOM's Plan and 38 of the IAEA's Plan referred to above instruct UNSCOM and IAEA to bring to the attention of the Security Council any findings that indicate that Iraq is not in compliance with its obligations under resolutions 687 and 707. From a legal perspective, the ability to carry out specific operations aimed at clarifying certain questions and detecting if there is an attempt to retain proscribed items which escaped the destruction/removal, rendering harmless process is fully guaranteed.

Technical feasibility and necessary arrangements

36. The IAEA's OMV activities have been using essentially the same procedures and techniques initially employed to detect the presence of prohibited equipment, materials and activities. These procedures must not only credibly ensure such absence at routinely inspected locations, but also provide a significant probability of detection at other locations. Further clarification of remaining questions can therefore be integrated into the IAEA's Plan, provided the Agency is able to fully exercise the rights of access enshrined in the Plan.

37. In the case of the other proscribed weapons areas, satisfactory resolution of remaining issues under the OMV plan would require modifications in some assumptions for the operation of the OMV plan, procedures and practices that were being used to date. More specifically, changes in the basic assumptions of the OMV plan would require the strengthening of the monitoring and verification system to maintain its effectiveness so that the Security Council mandate can be carried out. As stated earlier, the OMV plan, as it was being implemented before the interruption of inspections, was based on the assumption that: a fairly complete knowledge of the past would have been obtained, not having been designed to explicitly resolve remaining disarmament issues. The positive resolution of priority issues related to proscribed activities before the starting of the monitoring and verification system would surely contribute to an increase in the degree of confidence that the system would otherwise provide. Such uncertainties, however, could be offset through a reinforced OMV, based on the assumption that Iraq has the knowledge and technical expertise to exploit, for proscribed purposes, any relevant materials or technologies which it may retain or gain access to in the future.

38. IAEA and UNSCOM have both contemplated the possibility of integrating remaining disarmament issues into their OMV plans. In paragraph 34 of its latest report (doc. S/1999/127) the Agency states that "provided that it is able to exercise its right to full and free access in Iraq, the IAEA is in a position to proceed with the full implementation of its OMV plan and, as part of that plan, to investigate further the remaining questions and concerns and any other aspect of Iraq's clandestine nuclear programme arising out of new information acquired by the IAEA".

39. UNSCOM, in turn, points out in its latest reports that "the present review of the OMV system takes into account the possibility that the mandated objective of the full accounting of Iraq's proscribed weapons and verification of Iraq's prohibited programmes will not be achieved but the Commission may, nevertheless, be required to operate its OMV system under the shadow of Iraq possibly retaining prohibited materials"(paragraph 23 of S/1999/94).

40. Panel members agreed that the adoption of a reinforced OMV might represent a refocusing and evolution of patterns of work as pursued by UNSCOM. The reinforced OMV system should make maximum use of synergies, cross checks and cross fertilizations between the activities of the four disciplines

(nuclear, biological, chemical, missile) and the Export/import Monitoring Mechanism in order to ensure confidence in the continuing absence of proscribed activities as well as clarification and progressive resolution of disarmament issues. It was pointed out that the benefit of the integrated approach would be that all information gathered from these concurrent activities would be analyzed systematically, considered against other data and examined in a multidisciplinary context. The net effect could be to enable rapid and effective work towards confirmation of Iraq's disarmament status, provided the rights set forth in Security Council resolutions 687, 707,, 715 and 1051 are fully respected.

41. Changes on the ground resulting from the adoption of a reinforced OMV would be related rather to the intensity, frequency, intrusiveness and methods than to rights, which would remain unaltered, since all actions required are already permitted under relevant Security Council resolutions.

42. Panel members acknowledge that this evolution of UNSCOM's work will have implications for its organizational structure and resourcing, which it might be premature to address in detail at this stage. However, it was considered useful to present some of the parameters under which unresolved or not sufficiently resolved disarmament issues can be integrated into OMV:

- a) Full implementation of the rights enshrined in the OMV plans, particularly full access to locations, individuals and information as well as the right to implement any relevant technology;
- b) Re-establishment of baselines of what Iraq had acquired and achieved in each of the proscribed weapons areas on the basis of the knowledge so far accumulated;
- c) Identification of critical milestones at which any resumption of proscribed activities could be detected, as a means to address the potential consequences of possible uncertainties,
- d) Further development of lists of equipment/procedures/methods and a corresponding degree of intensity/frequency/intrusiveness bearing in mind the amount of intellectual property Iraq acquired; prioritization of methodology accordingly;
- e) Regular inspections of military sites;
- f) Increase in the number of inspector and supporting staff taking into account technical expertise and-wide geographical representation;
- g) Improvement of mobility/access through the establishment of regional centres and/or the use of fixed and rotary wing aircraft;
- h) Enhancement of in-house scientific analytical capability to increase speed and independence of results;

- i) Improvement of structures to promote linkages and information flows across disciplines and activities; and
- j) Identification of a long-term, adequate and independent source of funding.

43. It was noted that Iraq should confirm the rights and privileges of UNSCOM and IAEA inspectors and support staff, and, consistent with past experience, confirm that the health and safety of said personnel will be protected at all times when these Individuals are within the territory of Iraq.

44. Discussions on the specific question of techniques and tools were held. Although it was recognized that this debate was of a preliminary character, some time was devoted to issues related to efficiency, cost-effectiveness and the degree of intrusiveness of the different techniques. In this regard, it was noted that, although not a substitute for on-site inspections, overhead imagery may play, for instance, a very powerful role in providing indications of the presence of prohibited activities. The role of such a means in providing timely and accurate reference data to support, supplement and/or enhance inspection activities had already been proven in Iraq. The panel concluded that overhead imagery has already played an important role in the effective implementation of the OMV plans and that it should be exploited to the limit of its technical capabilities. There would be advantages in the United Nations and the IAEA being able to derive independent conclusions therefrom.

45. The Export/Import Monitoring Mechanism would remain a critical component of the reinforced OMV. This system of information/notification would have to be reinforced and greater reliance would have to be placed in the provision of information by suppliers, particularly if conditions related to the volume of commercial transactions into Iraq are changed. In any case, the lists of dual-use equipment, the last version of which dates back to 1995, should be revised. It has been noted that, due to particularities in Iraq's programmes of weapons of mass destruction, these lists are already more comprehensive than those of the Chemical Weapons Convention and other non-proliferation arrangements, such as the Missile Technology Control Regime and the Australia Group.

46. For the reinforced OMV system to achieve its objectives, Iraqi cooperation will be necessary in particular in the sense of: a) providing immediate unobstructed access to all locations by United Nations and IAEA teams; b) not interfering with monitoring equipment; c) providing documentation to determine the legitimacy of activities under monitoring; d) providing all available information and materials related to past proscribed activities; e) ensuring access to personnel involved in such activities for interviews without interference; f) ensuring that relevant evidence is not concealed, removed or destroyed; g) ensuring access by fixed or rotary wing aircraft; h) adopting national legislation, as appropriate. At the same time, Member States are expected to cooperate fully for the effective functioning of

the system.

VI) Organization and methods

General observations

47. The panel had in mind, in making its suggestions in this and other areas,- that it should work within the existing legal framework for the implementation of Security Council resolutions related to proscribed weapons in Iraq. The panel also notes that there are proposals before the Security Council, which have also been mentioned during the panel meetings, that may imply changes in Security Council resolutions. It will be a matter for the Security Council to judge upon the desirability of their adoption. Nevertheless, the panel thought it worth examining adjustments in current practices and procedures within the present legal framework. The nomenclature in the following paragraphs was used in the discussions without prejudice to any future Security Council decision.

48. The panel held its discussions on this subject bearing in mind the experience accumulated during the past eight years of inspections but also the possibility of a reinforced OMV system as delineated above. In the course of debates on how to improve the operation of the system, reference was made to the desirability of reinforcing overall coordination, including within the UN system, without prejudice to a close relationship between the executive body and the Security Council. This implies the possibility of the Executive Chairman bringing any urgent matter to the attention of the Security Council. As a subordinate organ of the Security Council, the executive body derives its effectiveness and authority from this close relationship, both in terms of political supervision and of providing support for its activities.

49. In this context, suggestions were made, inter-alia, with regard to the possibility of restructuring the Commission as a collegiate body. Without prejudice of the close relationship referred to in paragraph 48, the Commission could provide for independent advice, guidance and general oversight, both at expert and diplomatic levels, on carrying out activities under the monitoring and verification plan and any problems, referred to it, that might arise in that connection. It would carry out functions entrusted to it by the Security Council, possibly including: a) consideration of any matter relating to the execution of the monitoring plan referred to it by the Security Council for advice; b) consideration of regular reports from the Executive Chairman on the conduct of operations; c) consideration of particular issues referred to it by the Executive Chairman with a view to their resolution or to a recommendation to the Security Council; d) consideration of complaints by Iraq regarding the conduct of inspections; e) establishment of rosters of experts for possible selection to serve on monitoring operations; and f) advice on personnel policy.

50. Recognizing the role of the Secretary-General in this regard, the Commission's composition would also be reviewed by the Security Council so that it possibly includes a core of technical experts; representatives from among Security Council members; the Under-Secretary-General for Disarmament

Affairs and possibly other representatives of the Secretariat. It is thought that among the technical experts a representative of the IAEA and of the Organization for the Prohibition of Chemical Weapons (OPCW) might be included. In order to ensure proper liaison of the collegiate body with the Security

Council, the meetings of the Commission might be presided over by a representative of a non-permanent member of the Security Council. The Commission should meet at least every three months (apart from emergency meetings).

51. Some suggestions were made that, at the operational level, the implementation of the reinforced OMV should be entrusted to a renovated UNSCOM, consistent with the provisions of such a system. This may have staffing Implications that were not considered at length by the panel. It is understood that the Baghdad Monitoring and Verification Centre (BMVC) would continue to play a pivotal role and may have to be further reinforced. The renovated UNSCOM should ensure a clear United Nations identity and be guided by the principles of full independence, rigour and transparency in order to ensure the effectiveness of its work and credibility of its results. It was felt that, at this stage, due to the amount of knowledge acquired by UNSCOM, as well as to the intrinsic interrelationship between the missile, biological and chemical weapons fields, these tasks should remain concentrated on this renovated United Nations body. Nevertheless it was noted that organizations such as OPCW might contribute, under appropriate arrangements, including through participation in the Commission. In the future, if Iraq becomes a party to the CWC, as urged in Security Council resolutions, cooperation arrangements similar to those currently associated with the work of IAEA in Iraq might be considered, provided they are consistent with mandates set forth in relevant Security Council resolutions, if the Security Council so decides.

Recruitment

52. A central component in ensuring an effective and credible system is the recruiting of staff who are technically competent, committed to the objectives of the Security Council resolutions, impartial, and, if possible, have some experience of inspections. A personnel management strategy should ensure the optimum mix of qualifications, background and of long-term and short-term staff. Without prejudice to these requirements, staff selection should also reflect the desirability of establishing broad national representation to the extent possible. Cost efficiency and technical effectiveness could be promoted by complementing permanent staff with temporary staff selected, to the extent possible, within a roster of specialists (see paragraph 49 above).

53. Appointments for one year or more should continue to be made in terms of Article 101.3 of the Charter of the United Nations. All appointees would be regarded as International civil servants subject to Article 100 of the Charter. Taking into account United Nations policy, recourse to cost-free personnel should be limited. Efforts should be made to increasing, wherever operationally possible, personnel employed directly by the United Nations. All employees should be subject to an enforceable Special Service Agreement.

This will require full cooperation from Member States.

Training

54. Considerable weight should be given to training needs with the objective of developing and reinforcing core inspection skills and competences. Training programmes should encompass both technical and cultural issues as well as relevant safety procedures. Particular emphasis should be placed on the importance of understanding national sensitivities in the course of Inspections. Emphasis should be given to structural pre-inspection training. For short-term appointments, on-the-job training would be the regular practice. Inspection planning and staffing should reflect those training needs. Continuity in the field is essential.

Equipment/technology

55. Appropriate specifications should be established for all monitoring equipment, including power units, to be installed in Iraq and on arrangements for its maintenance by suitably qualified personnel. Systematic and rapid selection and independent procurement of adequate emerging monitoring technologies should be promoted, as appropriate.

Information

56. Information has been recognized as an essential component of a reinforced ongoing monitoring and verification regime, whether provided by Iraq, or generated by inspections, or from any other source, including Member States. Internal handling of information should reflect the absolute need to protect the confidentiality of operations planning and to give assurances to providers that the sources and methods are being properly protected. This requires clear procedures for receipt, handling, storage and access to sensitive information. Evaluation and assessment of information collected should be rigorous and impartial. This can be facilitated by adopting clear analysis concepts and methodologies, and by using a modern database and computer-based analysis tools. The greater the confidence in the security culture of the organization the more information Member States are likely to provide.

57. Any information should be assessed strictly on the basis of its credibility and relevance to the mandate. The substantive relationship with intelligence providers should be one-way only, even if it is recognized that dialogue with providers may be necessary for clarifications and refinement of assessments. The OMV mechanism should not be used for purposes other than the ones set forth in Security Council resolutions.

Other practices and procedures

58. In conducting inspections or monitoring operations, effectiveness should be the primary consideration. A rigorous and comprehensive approach should be adopted to planning and in-field activities and should take into account the

difficulties encountered in the past in Iraq, including instances of obstruction and/or deception. At the same time unnecessary confrontation or disproportionate reactions should be avoided.

59. Cooperative arrangements among different disciplines should be promoted through the development of structures to improve linkages and information flows across disciplines and activities. The composition of inspection/monitoring teams should reflect mission requirements. Confidentiality should be maintained during all stages of the planning and execution phases. Within the limits dictated by that requirement, inspector's should be appropriately briefed on the broader objectives of the project in which their activities are inserted and should be given access to the reports of the missions to which they have contributed.

60. The Issue of relations with the media was raised. The panel found that, ideally, there should be a single point of contact with the press, which could benefit from the expertise of the existing UN and/or IAEA public relations machinery. Public comment by the verification entity and its personnel should be limited and restricted to the factual. Political evaluations or comments that carry obvious political implications should be left to the Security Council.

VII) CONCLUSIONS/RECOMMENDATIONS

61. The panel carried out its work bearing in mind the objective of presenting a meaningful contribution to the Security Council on how to reestablish a UN presence in Iraq in the area of disarmament/ongoing monitoring and verification. The panel considered that refocusing or 'relensing' the approach towards disarmament/ongoing monitoring and verification, without departing from the existing framework of rights and obligations laid down in Security Council resolutions adopted under Chapter VII of the Charter, might offer the opportunity to enlarge the scope of policy options for the Security Council. To this end, the panel concentrated a great part of its work on discussing the technical feasibility of a reinforced OMV system capable of addressing, through integration, remaining unresolved disarmament issues. The panel concluded that such a reinforced OMV system, which should include intrusive Inspections and investigation of relevant elements of past activities, is viable.

62. The framework for this system is well-known, encompassing Security Council resolutions 687, 707, 715 and 1051. In fact, what is being called a reinforced OMV is the OMV system itself as conceived in the plans approved by resolution 715 developed to its full potentiality. The panel points out that there is no need to change resolution 715 to that effect.

63. Several suggestions were made in relation to questions pertaining to organization and methods of work, including institutional arrangements, bearing in mind the reinforced OMV system. They are outlined in chapter VI of this report. The panel recommends that the Security Council devotes appropriate attention to these ideas.

64. The panel notes that the longer inspection and monitoring activities remain suspended, the more difficult the comprehensive implementation of Security Council resolutions becomes, increasing the risk that Iraq might reconstitute its proscribed weapons programmes or retain proscribed items. A materialization of such a risk that is attributable to the absence of inspections would have extremely negative consequences for the credibility of international non-proliferation efforts in general, and for the credibility of the United Nations and IAEA in particular.

65. It has been repeatedly pointed out that UNSCOM's and IAEA's current inability to implement their mandates in Iraq renders them unable to provide any assurance that Iraq is in compliance with its obligations under Security Council resolutions and that it is essential that inspection teams return to Iraq as soon as possible. The current absence of inspectors has exponentially increased the risk of compromising the level of assurance already achieved, since it is widely recognized that the re-establishment of the baseline will be a difficult task. The loss of technical confidence in the system could become irretrievable. The panel considers that the status quo is not a practical alternative and recommends that efforts be made with a view to restoring an international inspection regime in Iraq that is effective, rigorous and credible.

66. The effectiveness of the monitoring and verification system depends on its being comprehensive and intrusive. Rigorous implementation is critically dependent upon the full exercise of the rights of full and free access set forth in relevant Security Council resolutions. The monitoring and verification system is an integral whole that can be meaningfully implemented only in its entirety. At the same time, mandates should be carried out objectively in a technically competent and thorough manner with due regard to Iraqi sovereignty, dignity and sensitivities, including religious and cultural ones, as well as those related to commercial confidentiality.

67. Given the difficulties experienced in the past, this will require firm and active support by the Security Council for the implementation of the reinforced OMV system. Implementation of the OMV system is predicated on Iraqi cooperation. Ensuring appropriate cooperation by Iraq means that, in one way or another, Iraq will have to be engaged by the Security Council, sooner rather than later. Of course the OMV system cannot be conceived as an enticement for Iraq to invite it into its territory. Indeed the reinforced OMV would be, if anything, more intrusive than the one so far practiced. It is in the hands of the Security Council to devise ways of ensuring that Iraq accepts such monitoring and verification.

68. In summary, the panel agreed on the possibility of an integrated system that is a reinforced OMV within the existing legal framework of resolutions 687, 707, 715 and 1051 as well as the Memorandum of Understanding of 23 February 1998, which would be capable of addressing the outstanding disarmament issues. Some of the parameters necessary for the implementation of such a system were outlined in relevant chapters of this report. They will surely need further elaboration, once the suggested approach is accepted

by the Security Council. However, even the best system would be useless if it were to remain a blueprint on paper only. To be effective, any system has to be deployed on the ground, which is impossible without Iraqi acceptance. How this acceptance will be obtained is the fundamental question before the Security Council.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1293 (2000)
31 March 2000

Resolution 1293 (2000)

Adopted by the Security Council at its 4123rd meeting, on
31 March 2000

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999, 1275 (1999) of 19 November 1999, 1280 (1999) of 3 December 1999, 1281 (1999) of 10 December 1999, and 1284 (1999) of 17 December 1999,

Welcoming the report of the Secretary-General of 10 March 2000 (S/2000/208), in particular his recommendation on additions to the current allocation for oil spare parts and equipment pursuant to paragraph 28 of resolution 1284 (1999),

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, pursuant to paragraphs 28 and 29 of resolution 1284 (1999), that from the funds in the escrow account produced pursuant to resolutions 1242 (1999) and 1281 (1999) up to a total of \$600 million may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the contracts approved in accordance with paragraph 2 of resolution 1175 (1998), and *expresses* its intention to consider favourably the renewal of this provision;
2. *Expresses* its willingness to consider expeditiously other recommendations contained in the Secretary-General's report of 10 March 2000, and the provisions of section C of resolution 1284 (1999);
3. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1302 (2000)
8 June 2000

Resolution 1302 (2000)

Adopted by the Security Council at its 4152nd meeting, on
8 June 2000

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999, 1275 (1999) of 19 November 1999, 1280 (1999) of 3 December 1999, 1281 (1999) of 10 December 1999, 1284 (1999) of 17 December 1999 and 1293 (2000) of 31 March 2000,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Daylight Time, on 9 June 2000;

2. *Further decides* that from the sum produced from the import by States of petroleum and petroleum products originating in Iraq, including financial and other essential transactions related thereto, in the 180-day period referred to in paragraph 1 above, the amounts recommended by the Secretary-General in his

report of 1 February 1998 (S/1998/90) for the food/nutrition and health sectors should continue to be allocated on a priority basis in the context of the activities of the Secretariat, of which 13 per cent of the sum produced in the period referred to above shall be used for the purposes referred to in paragraph 8 (b) of resolution 986 (1995);

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations observation process in Iraq in

such a way as to provide the required assurances to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized;

4. *Further decides* to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, and *expresses its* intention, prior to the end of that period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the reviews indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to report to the Council 90 days after the entry into force of this resolution on its implementation, and *further requests* the Secretary-General to report prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his briefing and report any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs;

6. *Requests* the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council after the entry into force of paragraph 1 above and prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

7. *Requests* the Secretary-General to appoint, in consultation with the Committee established by resolution 661 (1990), no later than 10 August 2000, the additional Overseers necessary to approve petroleum and petroleum product export contracts in accordance with paragraph 1 of resolution 986 (1995) and the procedures of the Committee established by resolution 661 (1990);

8. *Requests* the Committee established by resolution 661 (1990) to approve, after 30 days, on the basis of proposals from the Secretary-General, lists of basic water and sanitation supplies, *decides*, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items

will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraphs 8 (a) and 8 (b) of resolution 986 (1995), and *requests* the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

9. *Decides* that from the funds produced pursuant to this resolution in the escrow account established by paragraph 7 of resolution 986 (1995), up to a total of 600 million US dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the contracts approved in accordance with paragraph 2 of resolution 1175 (1998) and paragraph 18 of resolution 1284 (1999), and *expresses* its intention to consider favourably the renewal of this measure;

10. *Decides* that the funds in the escrow account which resulted from the suspension in accordance with paragraph 20 of resolution 1284 (1999) shall be used for the purposes set out in paragraph 8 (a) of resolution 986 (1995), and *further decides* that paragraph 20 of resolution 1284 (1999) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above and shall not be subject to further renewal;

11. *Welcomes* the efforts of the Committee established by resolution 661 (1990) to review applications expeditiously, and *encourages* the Committee to make further efforts in that regard;

12. *Calls upon* the Government of Iraq to take all additional steps necessary to implement paragraph 27 of resolution 1284 (1999), and *further requests* the Secretary-General regularly to review and report on the implementation of these measures;

13. *Requests* the Secretary-General to submit to the Committee established by resolution 661 (1990) recommendations regarding the implementation of paragraphs 1 (a) and 6 of resolution 986 (1995) to minimize the delay in the payment of the full amount of each purchase of Iraqi petroleum and petroleum products into the escrow account established by paragraph 7 of resolution 986 (1995);

14. *Requests* the Secretary-General to submit to the Committee established by resolution 661 (1990) recommendations regarding the utilization of excess funds drawn from the account created by paragraph 8 (d) of resolution 986 (1995), in particular for the purposes set out in paragraphs 8 (a) and 8 (b) of that resolution;

15. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

16. *Appeals* to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661

(1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

17. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

18. *Invites* the Secretary-General to appoint independent experts to prepare by 26 November 2000 a comprehensive report and analysis of the humanitarian situation in Iraq, including the current humanitarian needs arising from that situation and recommendations to meet those needs, within the framework of the existing resolutions;

19. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1330 (2000)
5 December 2000

Resolution 1330 (2000)

Adopted by the Security Council at its 4241st meeting, on
5 December 2000

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999, 1275 (1999) of 19 November 1999, 1280 (1999) of 3 December 1999, 1281 (1999) of 10 December 1999, 1284 (1999) of 17 December 1999, 1293 (2000) of 31 March 2000 and 1302 (2000) of 8 June 2000,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 6 December 2000;

2. *Further decides* that from the sum produced from the import by States of petroleum and petroleum products originating in Iraq, including financial and other essential transactions related thereto, in the 180-day period referred to in

paragraph 1 above, the amounts recommended by the Secretary-General in his report of 1 February 1998 (S/1998/90) for the food/nutrition and health sectors should continue to be allocated on a priority basis in the context of the activities of the Secretariat, of which 13 per cent of the sum produced in the period referred to above shall be used for the purposes referred to in paragraph 8 (b) of resolution 986 (1995);

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations observation process in Iraq including, within 90 days of the adoption of this resolution, to complete the recruitment and placement in Iraq of a sufficient number of observers, in particular the recruitment of the number of observers agreed between the Secretary-General and the Government of Iraq, in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized, including in the housing sector and related infrastructure development;

4. *Decides* to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, and *expresses* its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the reports referred to in paragraphs 5 and 6 below indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to provide a comprehensive report to the Council 90 days after the date of entry into force of this resolution on its implementation and again at least one week prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs;

6. *Requests* the Committee established by resolution 661 (1990), in close consultation with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

7. *Decides* that from the funds produced pursuant to this resolution in the escrow account established by paragraph 7 of resolution 986 (1995), up to a total of 600 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the

contracts approved in accordance with paragraph 2 of resolution 1175 (1998) and paragraph 18 of resolution 1284 (1999), and *expresses* its intention to consider favourably the renewal of this measure;

8. *Expresses* its readiness to consider, in the light of the cooperation of the Government of Iraq in implementing all the resolutions of the Council, allowing a sum of 15 million United States dollars drawn from the escrow account to be used for the payment of the arrears in Iraq's contribution to the budget of the United Nations, and *considers* that this sum should be transferred from the account created pursuant to paragraph 8 (d) of resolution 986 (1995);

9. *Requests* the Secretary-General to take the necessary steps to transfer the excess funds drawn from the account created pursuant to paragraph 8 (d) of resolution 986 (1995) for the purposes set out in paragraph 8 (a) of resolution 986 (1995) in order to increase the funds available for humanitarian purchases, including as appropriate the purposes referred to in paragraph 24 of resolution 1284 (1999);

10. *Directs* the Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of basic electricity and housing supplies consistent with the priority given to the most vulnerable groups in Iraq, *decides*, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraphs 8 (a) and 8 (b) of resolution 986 (1995), *requests* the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken, and *expresses* its readiness to consider such action with regard to lists of further supplies, in particular in the transport and telecommunications sectors;

11. *Requests* the Secretary-General to expand and update, within 30 days of the adoption of this resolution, the lists of humanitarian items submitted in accordance with paragraph 17 of resolution 1284 (1999) and paragraph 8 of resolution 1302 (2000), *directs* the Committee established by resolution 661 (1990) to approve expeditiously the expanded lists, *decides* that supplies of these items will not be submitted for approval of the Committee established by resolution 661 (1990), except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraphs 8 (a) and 8 (b) of resolution 986 (1995), and *requests* the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

12. *Decides* that the effective deduction rate of the funds deposited in the escrow account established by resolution 986 (1995) to be transferred to the Compensation Fund in the 180-day period shall be 25 per cent, *further decides* that the additional funds resulting from this decision will be deposited into the account established under paragraph 8 (a) of resolution 986 (1995) to be used for strictly humanitarian projects to address the needs of the most vulnerable groups in Iraq as referred to in paragraph 126 of the report of the Secretary-General of 29

November 2000 (S/2000/1132), *requests* the Secretary-General to report on the use of these funds in his reports referred to in paragraph 5 above, and *expresses its intention* to establish a mechanism to review, before the end of the 180-day period, the effective deduction rate of the funds deposited in the escrow account to be transferred to the Compensation Fund in future phases, taking into account the key elements of the humanitarian needs of the Iraqi people;

13. *Urges* the Committee established by resolution 661 (1990) to review applications in an expeditious manner, to decrease the level of applications on hold and to continue to improve the approval process of applications, and in this regard *stresses* the importance of the full implementation of paragraph 3 above;

14. *Urges* all States submitting applications, all financial institutions, including the Central Bank of Iraq, and the Secretariat, to take steps to minimize the problems identified in the report of the Secretary-General of 29 November 2000 pursuant to paragraph 5 of resolution 1302 (2000);

15. *Requests* the Secretary-General to make the necessary arrangements, subject to the approval of the Council, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services, and *further requests* the Secretary-General to make the necessary arrangements, subject to the approval of the Council, to allow funds up to 600 million euros deposited in the escrow account established by resolution 986 (1995) to be used for the cost of installation and maintenance, including training services, of the equipment and spare parts for the oil industry which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, and *calls upon* the Government of Iraq to cooperate in the implementation of all such arrangements;

16. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

17. *Calls upon* the Government of Iraq to take the remaining steps necessary to implement paragraph 27 of resolution 1284 (1999), and *further requests* the Secretary-General to include in his reports under paragraph 5 above a review of the progress made by the Government of Iraq in the implementation of these measures;

18. *Requests* also the Secretary-General to prepare a report as expeditiously as possible but no later than 31 March 2001 for the Committee established by resolution 661 (1990) containing proposals for the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purpose and provisions of resolution 986 (1995) and related resolutions, and particularly addressing the possible pipelines that might be utilized as additional export routes;

19. *Reiterates* its request in paragraph 8 of resolution 1284 (1999) to the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission and to the Director General of the International Atomic Energy Agency to complete by the end of this period the revision and updating of the lists of items and technology to which the import/export mechanism approved by resolution 1051 (1996) applies;

20. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq, and *calls upon* the Government of Iraq to complete its investigation into the death of employees of the Food and Agriculture Organization and to forward it to the Council;

21. *Appeals* to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

22. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1352 (2001)
1 June 2001

Resolution 1352 (2001)

Adopted by the Security Council at its 4324th meeting, on
1 June 2001

The Security Council,

Recalling its previous relevant resolutions, including its resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999 and 1330 (2000) of 5 December 2000,

Convinced of the need, as a temporary measure, to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Recalling the Memorandum of Understanding between the United Nations and the Government of Iraq of 20 May 1996 (S/1996/356),

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the provisions of resolution 1330 (2000) until 3 July 2001;

2. *Expresses* its intention to consider new arrangements for the sale or supply of commodities and products to Iraq and for the facilitation of civilian trade and economic cooperation with Iraq in civilian sectors, based on the following principles;

(a) that such new arrangements will improve significantly the flow of commodities and products to Iraq, other than commodities and products referred to in paragraph 24 of resolution 687 (1991), and subject to review by the Committee established by resolution 661 (1990) of the proposed sale or supply to

Iraq of commodities and products on a Goods Review List to be elaborated by the Council;

(b) that such new arrangements will improve the controls to prevent the sale or supply of items prohibited or unauthorized by the Council, in the categories referred to in paragraph 2 (a) above, and to prevent the flow of revenues to Iraq outside the escrow account established pursuant to paragraph 7 of resolution 986 (1995) from the export of petroleum and petroleum products from Iraq, and also expresses its intention to adopt and implement such new arrangements, and provisions on various related issues under discussion in the Council, for a period of 190 days beginning at 00.01 hours on 4 July 2001;

3. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1360 (2001)
3 July 2001

Resolution 1360 (2001)

Adopted by the Security Council at its 4344th meeting, on
3 July 2001

The Security Council,

Recalling its previous relevant resolutions, including its resolution 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1330 (2000) of 5 December 2000 and 1352 (2001) of 1 June 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), shall remain in force for a new period of 150 days beginning at 00.01 hours, Eastern Daylight Time, on 4 July 2001;

2. *Further decides* that from the sum produced from the import by States of petroleum and petroleum products originating in Iraq, including financial and other essential transactions related thereto, in the 150-day period referred to in paragraph 1 above, the amounts recommended by the Secretary-General in his report of 1 February 1998 (S/1998/90) for the food/nutrition and health sectors should continue to be allocated on a priority basis in the context of the activities of the Secretariat, of which 13 per cent of the sum produced in the period referred

to above shall be used for the purposes referred to in paragraph 8 (b) of resolution 986 (1995);

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations observation process in Iraq in

such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized, including in the housing sector and related infrastructure development;

4. *Decides* to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 150-day period, and expresses its intention, prior to the end of the 150-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the reports referred to in paragraphs 5 and 6 below indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to provide a comprehensive report to the Council 90 days after the date of entry into force of this resolution on its implementation and again at least one week prior to the end of the 150-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs;

6. *Requests* the Committee established by resolution 661 (1990), in close consultation with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and prior to the end of the 150-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

7. *Decides* that from the funds produced pursuant to this resolution in the escrow account established by paragraph 7 of resolution 986 (1995), up to a total of 600 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the contracts approved in accordance with paragraph 2 of resolution 1175 (1998) of 19 June 1998 and paragraph 18 of resolution 1284 (1999), and expresses its intention to consider favourably the renewal of this measure;

8. *Requests* the Secretary-General to take the necessary steps to transfer the excess funds drawn from the account created pursuant to paragraph 8 (d) of resolution 986 (1995) for the purposes set out in paragraph 8 (a) of resolution 986

(1995) in order to increase the funds available for humanitarian purchases, including as appropriate the purposes referred to in paragraph 24 of resolution 1284 (1999);

9. *Decides* that the effective deduction rate of the funds deposited in the escrow account established by resolution 986 (1995) to be transferred to the Compensation Fund in the 150-day period shall be 25 per cent, further decides that the additional funds resulting from this decision will be deposited into the account established under paragraph 8 (a) of resolution 986 (1995) to be used for strictly humanitarian projects to address the needs of the most vulnerable groups in Iraq as referred to in paragraph 126 of the report of the Secretary-General of 29 November 2000 (S/2000/1132), requests the Secretary-General to report on the use of these funds in his reports referred to in paragraph 5 above, and expresses its intention to establish a mechanism to review, before the end of the 150-day period, the effective deduction rate of the funds deposited in the escrow account to be transferred to the Compensation Fund in future phases, taking into account the key elements of the humanitarian needs of the Iraqi people;

10. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

11. *Calls upon* the Government of Iraq to take the remaining steps necessary to implement paragraph 27 of resolution 1284 (1999), and further requests the Secretary-General to include in his reports under paragraph 5 above a review of the progress made by the Government of Iraq in the implementation of these measures;

12. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

13. *Appeals* to all States to continue to cooperate in the timely submission of applications and expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

14. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1382 (2001)
29 November 2001

Resolution 1382 (2001)

Adopted by the Security Council at its 4431st meeting, on
29 November 2001

The Security Council,

Recalling its previous relevant resolutions, including its resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001 and 1360 (2001) of 3 July 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) on 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of these resolutions,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), and the provisions of paragraphs 2, 3 and 5 to 13 of 1360 (2001) shall remain in force for a new period of 180 days beginning at 0001 hours, Eastern Standard Time, on 1 December 2001;

2. *Notes* the proposed Goods Review List (as contained in Annex 1 to this resolution) and the procedures for its application (as contained in Annex 2 to this resolution) and decides that it will adopt the List and the procedures, subject to any refinements to them agreed by the Council in light of further consultations, for implementation beginning on 30 May 2002;

3. *Reaffirms* the obligation of all States, pursuant to resolution 661 (1990) and subsequent relevant resolutions, to prevent the sale or supply to Iraq of any

commodities or products, including weapons or any other military equipment, and to prevent the making available to Iraq of any funds or any other financial or economic resources, except as authorized by existing resolutions;

4. *Stresses* the obligation of Iraq to cooperate with the implementation of this resolution and other applicable resolutions, including by respecting the security and safety of all persons directly involved in their implementation;

5. *Appeals* to all States to continue to cooperate in the timely submission of technically complete applications and the expeditious issuing of export licences, and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi population as rapidly as possible;

6. *Reaffirms* its commitment to a comprehensive settlement on the basis of the relevant resolutions of the Security Council, including any clarification necessary for the implementation of resolution 1284 (1999);

7. *Decides* that, for the purposes of this resolution, references in resolution 1360 (2001) to the 150-day period established by that resolution shall be interpreted to refer to the 180-day period established pursuant to paragraph 1 above;

8. *Decides* to remain seized of the matter.

Annex 1

06/29/01

Proposed Goods Review List (GRL)

(Note: Arms and munitions are prohibited under UNSCR 687, para. 24 and thus are not included on the review list.)

A. Items subject to the provisions of UNSCR 1051 (1996).

B. The List contained in document S/2001/1120, annex (to the extent, if any, the items on these lists are not covered by UNSCR 687, para. 24). The list includes the following general categories and includes clarifying notes and statements of understanding: (1) advanced materials; (2) materials processing; (3) electronics; (4) computers; (5) telecommunications and information security; (6) sensors and lasers; (7) navigation and avionics; (8) marine; and (9) propulsion.

C. The following individual items, as further described in the annex:

Command, Control, Communication and Simulation

1. Specific advanced telecommunications equipment.
2. Information security equipment.

Sensors, Electronic Warfare, and Night Vision

3. Specialized electronic instrumentation and test equipment.
4. Image intensifier night vision systems, tubes, and components.

Aircraft and Related Items

5. Specialized radar equipment.
6. Non-civil certified aircraft; all aero gas turbine engines; unmanned aerial vehicles; and parts and components.
7. Non-xray explosive detection equipment.

Naval-related Items

8. Air independent propulsion (AIP) engines and fuel cells specially designed for underwater vehicles, and specially designed components therefor.
9. Marine acoustic equipment.

Explosives

10. Charges and devices specially designed for civil projects, and containing small quantities of energetic materials.

Missile-Related Items

11. Specialized vibration test equipment.

Conventional Weapons Manufacturing

12. Specialized semiconductor manufacturing equipment.

Heavy Military Transport

13. Low-bed trailers/loaders with a carrying capacity greater than 30 metric tonnes and width equal to or greater than 3 meters.

Biological Weapons Equipment

14. Certain Biological Equipment.

06/29/01

Annex to Proposed Goods Review List (GRL)

Technical Parameters for Individual Items

#1. Specific advanced telecommunication equipment

- a. Any type of telecommunications equipment, specially designed to operate outside the temperature range from 218 K (-55° C) to 397 K (124° C);
- b. Phased array antennae, containing active elements and distributed components, and designed to permit electronic control of beam shaping and pointing, except for landing systems with instruments meeting International Civil Aviation Organization (ICAO) standards (microwave landing systems (MLS));
- c. Radio relay communications equipment designed for use at frequencies of 7.9 through 10.55 GHz or exceeding 40 GHz and assemblies and components therefor;
- d. Optical fiber cables of more than 5 meters in length, and preforms or drawn fibers of glass or other materials optimized for manufacture and use as optical telecommunications transmission medium. Optical terminals and optical amplifiers;
- e. Software specially designed for the development or production of the components or equipment in a-d above;
- f. Technology for the development, design or production of the components, software, or equipment in a-d above.

#2. Information security equipment

Information security equipment having any of the following characteristics:

- a. a symmetric encryption algorithm;
- b. an asymmetric encryption algorithm;
- c. a discrete-log encryption algorithm;
- d. analog encryption or scrambling;
- e. TCSEC B1, B2, B3, or A1 or equivalent Multilevel Secure (MLS) computer systems;
- f. Software specially designed for the development or production of a-a above;
- g. Technology for the development, design or production of a-a above.

Note 1: This entry does not require review of items that meet all of the following:

- a. Generally available to the public, by being sold, without restriction, from stock at retail selling points by means of any of the following:
 - a.1. Over the counter transactions;
 - a.2. Mail order transactions;
 - a.3. Electronic transactions;
 - a.4. Telephone call transactions;
- b. The cryptographic functionality cannot easily be changed by the user;
- c. Designed for installation by the user without further substantial support by the supplier; and
- d. When necessary, details of the items are accessible and will be provided, upon request, to the appropriate authority in the exporter's country in order to ascertain compliance with conditions described in paragraphs a-c above.

Note 2: This item does not require review of:

- a. Personalized smart cards where the cryptographic capability is restricted for use in equipment or systems excluded from control under entries b-f of this note. If a personalized smart card has multiple functions, the control status of each function is addressed individually;
- b. Receiving equipment for radio broadcast, pay television, or similar restricted audience broadcast of the consumer type, without digital encryption except that exclusively used for sending the billing or program-related information back to the broadcast providers;
- c. Equipment where the cryptographic capability is not user-accessible and which is specially designed and limited to allow any of the following:
 - c.1. Execution of copy-protected software;
 - c.2. Access to any of the following:
 - c.2.a. Copy-protected contents stored on read-only media; or
 - c.2.b. Information stored in encrypted form on media (e.g. in connection with intellectual property rights) where the media is offered for sale in identical sets to the public; or
 - c.2.c. One-time copying of copyright-protected audio/video data.
- d. Cryptographic equipment specially designed and limited for banking use or money transactions;

Technical Note: "Money transactions" includes the collection and settlement of fares or credit functions.

- e. Portable or mobile radiotelephones for civil use (e.g. for commercial civil cellular radiocommunications systems) that are not capable of end-to-end encryption;
- f. Cordless telephone equipment not capable of end-to-end encryption where the maximum effective range of unboosted cordless operation (i.e., a single, unrelayed hop between terminal and home basestation) is less than 400 meters according to the manufacturer's specifications.

#3. Specialized electronic instrumentation and test equipment

- a. Signal analysers from 4 through 31 GHz;
- b. Microwave test receivers from 4 through 40 GHz;
- c. Network analysers from 4 through 40 GHz;
- d. Signal generators from 4 through 31 GHz;
- e. Travelling wave tubes, pulsed or continuous wave, as follows:
 - e.1. Coupled cavity tubes, or derivatives thereof;
 - e.2. Helix tubes, or derivatives thereof, with any of the following:
 - e.2.a.1. An instantaneous bandwidth of half an octave or more; and
 - e.2.a.2. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.2;
 - e.2.b.1. An instantaneous bandwidth of less than half an octave; and
 - e.2.b.2. The product of the rated average output power (expressed in kW) and the maximum operating frequency (expressed in GHz) of more than 0.4;
- f. Equipment specially designed for the manufacture of electron tubes, optical elements and specially designed components therefor;
- g. Hydrogen/hydrogen-isotope thyratrons of ceramic-metal construction and rate for a peak current of 500 A or more;
- h. Digital instrumentation data recorders having any of the following characteristics:
 - h.1. A maximum digital interface transfer rate exceeding 175 Mbit/s; or
 - h.2. Space qualified.
- i. Radiation and radioisotope detection and simulation equipment, analysers, software, and Nuclear Instrumentation Module (NIM) componentry and mainframes;
- j. Software specially designed for the development or production of the

components or equipment in a-i above;

k. Technology for the development, design or production of the components or equipment in a-i above.

Note: Items a-e do not require review when contained in contracts for civil telecommunications projects, including ongoing maintenance, operation, and repair of the system, certified for civil use by the supplier government.

#4. Image intensifier night vision systems, tubes, and components

a. Night vision systems (i.e., cameras or direct view imaging equipment) using an image intensifier tube that utilizes a microchannel plate (MCP) and an S-20, S-25, GaAs, or GaInAs photocathode.

b. Image intensifier tubes that utilize a microchannel plate (MCP) and an S-20, S-25, GaAs, or GaInAs photocathode with a sensitivity of 240 micro Amps per lumen and below:

c. Microchannel plates of 15 micrometers and above.

d. Software specially designed for the development or production of the components or equipment in a-c above;

e. Technology for the development, design or production of the components or equipment in a-c above.

#5. Specialized radar equipment

a. All airborne radar equipment and specially designed components therefor, not including radars specially designed for meteorological use or Mode 3, Mode C, and Mode S civilian air traffic control equipment specially designed to operate only in the 960-1215 MHz band;

Note: This entry does not require initial review of airborne radar equipment installed as original equipment in civil-certified aircraft operating in Iraq.

b. All ground-based primary radar systems that are capable of aircraft detection and tracking.

c. Software specially designed for the development or production of the components or equipment in a and b above;

d. Technology for the development, design or production of the components or equipment in a and b above.

#6. Non-civil certified aircraft; all aero gas turbine engines; unmanned aerial vehicles; and parts and components

a. Non-civil certified aircraft and specially designed parts and components

therefor. This does not include parts and components solely designed to accommodate a carrying of passengers including seats, food services, environmental conditioning, lighting systems, and passenger safety devices. Note: Civil certified aircraft consist of aircraft that have been certified for general civil use by the civil aviation authorities of the original equipment manufacturer's government.

b. All gas turbine engines except those designed for stationary power generation applications, and specially designed parts and components therefor.

c. Unmanned aerial vehicles and parts and components therefor with any of the following characteristics:

- c.1. Capable of autonomous operation;
- c.2. Capable of operating beyond line of sight;
- c.3. Incorporating a satellite navigation receiver (i.e. GPS);
- c.4. A gross take-off weight greater than 25 kg (55 pounds).

d. Parts and components for civil-certified aircraft (not including engines).

Note 1: This does not include parts and components for normal maintenance of non-Iraqi owned or leased civil-certified aircraft that were originally qualified or certified by the original equipment manufacturer for that aircraft.

Note 2: For Iraqi-owned or leased civil aircraft, review of parts and components for normal maintenance is not required if the maintenance is performed in a country other than Iraq.

Note 3: For Iraqi-owned or leased aircraft, parts and components are subject to review except for equivalent one-for-one replacement of parts and components that have been certified or qualified by the original equipment manufacturer for use on that aircraft.

Note 4: Any specially designed parts or components that improve the performance of the aircraft remain subject to review. e. Technology, including software, for the design, development and production of equipment and parts/components for the items in sub-items a-d above.

#9. Marine acoustic equipment

a. Marine acoustic systems, equipment and specially designed components therefor, as follows:

- a.1. Active (transmitting or transmitting-and-receiving) systems, equipment and specially designed components therefor, as follows:
 - a.1.a. Wide-swath bathymetric survey systems designed for sea bed topographic mapping designed to measure depths less than 600 m below the water surface
 - a.2. Passive (receiving, whether or not related in normal application to separate

active equipment) systems, equipment and specially designed components thereof as follows:

- a.2.a. Hydrophones with sensitivity better than minus 220 Db at any depth with no acceleration' compensation;
- a.2.b. Towed acoustic hydrophone arrays designed or able to be modified to operate at depths exceeding 15 meters but not exceeding 35 meters.
 - a.2.b.1. Heading sensors with an accuracy better than +/- 0.5 degrees.
- a.2.c. Processing equipment specially designed for towed acoustic hydrophone arrays.
- a.2.d. Processing equipment, specially designed for bottom or bay cable systems.
- b. Correlation-velocity sonar log equipment designed to measure the horizontal speed of the equipment carrier relative to the seabed.

Technical Note: Hydrophone sensitivity is defined as twenty times the logarithm to the base 10 of the ratio of rms output voltage to a 1 V rms reference, when the hydrophone sensor, without a pre-amplifier, is placed in a plane wave acoustic field with an rms pressure of 1 p2a. For example, a hydrophone of -160 Db, reference 1 V per uPa) -180 Db.

#10. Charges and devices specially designed for civil projects, and containing small quantities of the following energetic materials:

1. Cyclotetramethylenetetranitramine (CAS 2691-41-0) (HMX); octahydro-1,3,5,7-tetranitro-1,3,5,7-tetrazine; 1,3,5,7-tetranitro-1,3,5,7-tetrazacyclooctane; (octogen, octogene);
2. Hexanitrostilbene (HNS) (CAS 20062-22-0);
3. Triaminotrinitrobenzene (TATB) (CAS 3058-38-6);
4. Triaminoguanidinenitrate (TAGN) (CAS 4000-16-2);
5. Dinitroglycoluril (DNGU, DINGU) (CPS 55510-04-81: tetranitroglycoluril (TNGU, SORGUYL) (CAS 55510-03-7);
6. Tetranitrobenzotriazolobenzotriazole (TACOT) (CAS 25243-36-1);
7. Diaminohexanitrobiphenyl (DIPAM) (CAS 17215-44-0);
8. Picrylaminodinitropyridine (PYX) (CAS 38082-89-2);
9. 3-vitro-1,2,4-triazol-5-one (NTO or ONTA) (CAS 932-64-9);
10. Cyclotrimethylenetrinitramine (RDX) (CAS 121-82-4); cyclonite; T4; hexahydro-1,3,5-trinitro-1, 3, 5-triazine; 1, 3, 5-trinitro-1, 3, 5-triazacyclohexane (hexogen, hexogene);
11. 2-(5-cyanotetrazolato) penta amine-cobalt (III) -perchlorate (or CP) (CAS

70247-32-4);

12. cis-bis (5-nitrotetrazolato) tetra amine-cobalt (III) perchlorate (or BNCP);

13. 7-Amino-4,6-dinitrobenzofurazane-1-oxide (ADNBF) (CAS 97096-78-1); amino dinitrobenzofuroxan;

14. 5,7-diamino-4,6-dinitrobenzofurazane-1-oxide (CAS 117907-74-1), (CL-14 or diamino dinitrobenzofuroxan);

15. 2,4,6-trinitro-2,4,6-triazacyclohexanone (K-6 or Keto-RDX) (CAS 115029-35-1);

16. 2,4,6,8-tetranitro-2,4,6,8-tetraazabicyclo [3,3,0]octanone-3 (CAS 130256-72-3) (tetranitrosemiglycouril, K-55 or keto-bicyclic HMX);

17. 1,1,3-trinitroazetidine (TNAZ) (CAS 97645-24-4);

18. 1,4,5,8-tetranitro-1,4,5,8-tetraazadecalin (TNAD) (CAS 135877-16-6);

19. Hexanitrohexaazaisowurtzitane (CAS 135285-90-4) (CL-20 or HNIW); and clathrates of CL-20;

20. Trinitrophenylmethylnitramine (tetryl) (CAS 479-45-8);

21. Any explosive with a detonation velocity exceeding 8,700 m/s or a detonation pressure exceeding 34 GPa (340 kbar);

22. Other organic explosives yielding detonation pressures of 25 GPa(250 kbar) or more that will remain stable at temperatures of 523 K (250°C) or higher for periods of 5 minutes or longer;

23. Any other United Nations (UN) Class 1.1 solid propellant with a theoretical specific impulse (under standard conditions) of more than 250 s for nonmetallized, or more than 270 s for aluminized compositions; and

24. Any UN Class 1.3 solid propellant with a theoretical specific impulse of more than 230 s for non-halogenised, 250 s for non-metallized and 266 s for metallized compositions.

Note: When not part of a charge or device specifically designed for civil projects in small quantities, the energetic materials above are considered military items and are subject to UNSCR 687, para. 24.

#11. Specialized vibration test equipment

Vibration test equipment and specially designed parts and components capable of simulating flight conditions of less than 15,000 meters. a. Software specially

designed for the development or production of the components or equipment above;

b. Technology for the development, design or production of the components or equipment above.

#12. Specialized semiconductor manufacturing equipment

a. Items specially designed for the manufacture, assembly, packaging, test, and design of semiconductor devices, integrated circuits and assemblies with a minimum feature size of 1.0 micrometers, including:

a.1. Equipment and materials for plasma etch, chemical vapor deposition (CVD), lithography, mask lithography, masks, and photoresists.

a.2. Equipment specially designed for ion implantation, ion-enhanced or photoenhanced diffusion, having any of the following characteristics:

a.2.a. Beam energy (accelerating voltage) exceeding 200 keV; or

a.2.b. Optimized to operate at a beam energy (accelerating voltage) of less than 10 keV.

a.3. Surface finishing equipment for the processing of semiconductor wafers as follows:

a.3.a. Specially designed equipment for backside processing of wafers thinner than 100 micrometer and the subsequent separation thereof; or

a.3.b. Specially designed equipment for achieving a surface roughness of the active surface of a processed wafer with a two-sigma value of 2 micrometer or less, total indicator reading (TIR) ;

a.4. Equipment, other than general-purpose computers, specially designed for computer aided design (CAD) of semiconductor devices or integrated circuits;

a.5.

Equipment for the assembly of integrated circuits, as follows:

a.5.a. Stored program controlled die bonders having all of the following characteristics:

a.5.a.1. Specially designed for hybrid integrated circuits;

a.5.a.2. X-Y stage positioning travel exceeding 37.5 x 37.5 mm; and

a.5.a.3. Placement accuracy in the X-Y plane of finer than + 10 micrometer;

a.5.b. Stored program controlled equipment for producing multiple bonds in a single operation (e.g., beam lead bonders, chip carrier bonders, tape bonders);

a.5.c. Semi-automatic or automatic hot cap sealers, in which the cap is heated locally to a higher temperature than the body of the package, specially designed for ceramic microcircuit packages and that have a throughput equal to or more than one package per minute.

b. Software specially designed for the development or production of the components or equipment in a. above;

c. Technology for the development, design or. production of the components or equipment in a. above-

#14. Certain Biological Equipment

- a. Equipment for the microencapsulation of live microorganisms and toxins in the range of 1-15 micron particle size, to include interfacial polycondensors and phase separators.

Annex 2

Procedures

1. Applications for each export of commodities and products should be forwarded to the Office of the Iraq Programme (OIP) by the exporting States through permanent or observer missions, or by United Nations agencies and programmes. Each application should include technical specifications and end-user information in order for a determination to be made on whether the contract contains any item referred to in paragraph 24 of resolution 687 (1991) or any item on the Goods Review List (GRL). A copy of the concluded contractual arrangements should be attached to the application.
2. Each application and the concluded contractual arrangements will be reviewed by customs experts in the OIP and experts from UNMOVIC, consulting the IAEA as necessary, in order to determine whether the contract contains any item referred to in paragraph 24 of resolution 687 (1991) or included on the GRL. The OIP will identify an official to act as a contact point on each contract.
3. In order to verify that the conditions set out in paragraph 2 above are met, the experts may request additional information from the exporting States or Iraq. The exporting States or Iraq should provide the additional information requested within a period of 60 days. If the experts do not require any additional information within four working days, the procedure under paragraphs 5, 6 and 7 below applies.
4. If the experts determine that the exporting State or Iraq has not provided the additional information within the period set out in paragraph 3 above, the application will not proceed further until the necessary information has been provided.
5. If the UNMOVIC experts, consulting the IAEA as necessary, determine that the contract contains any item referred to in paragraph 24 of resolution 687 (1991), the application shall be considered lapsed and returned to mission or agency which submitted it.
6. If the UNMOVIC experts, consulting the IAEA as necessary, determine that the contract contains any item referred to in the GRL, they will forward to the Committee full details of the GRL listed items, including the technical specifications of the items and the associated contract. In addition, OIP and UNMOVIC, consulting the IAEA as necessary, shall provide to the Committee an assessment of the humanitarian, economic and security implications, of the approval or denial of the GRL listed items, including the viability of the whole contract in which the GRL listed item appears and the risk of diversion of the item for military purposes. OIP shall also provide information on the possible end-use

monitoring of such items. OIP will immediately inform the missions or agencies concerned. The remaining items in the contract, which are determined as not included in the GRL, will be processed according to the procedure in paragraph 7 below.

7. If the UNMOVIC experts, consulting the IAEA as necessary, determine that the contract does not contain any item referred to in paragraph 2 above, the Office of the Iraq Programme will inform immediately the Government of Iraq and the exporting State in written form. The exporter will be eligible for payment upon verification by Cotecna that the goods have arrived as contracted in Iraq.

8. If the mission or agency submitting a contract disagrees with the decision to refer the contract to the Committee, it may appeal against this decision within two business days to the Executive Director of OIP. In that event, the Executive Director of OIP, in consultation with the Executive Chairman of UNMOVIC, will appoint experts to reconsider the contract in accordance with the procedures set out above. Their decision, endorsed by the Executive Director and Executive Chairman, will be final and no further appeals will be permitted. The application shall not be forwarded to the Committee until the appeal period has expired without an appeal being filed.

9. Experts from OIP and UNMOVIC who review contracts should be drawn from the broadest possible geographical base.

10. The Secretariat will report to the Committee at the end of each 180-day phase on the contracts submitted and approved for export to Iraq during this period and provide to any member of the Committee at the member's request copies of applications for information purposes only.

11. Any Committee member may call for an urgent meeting of the Committee to consider revising or revoking these procedures. The Committee will keep these procedures under review and, in light of experience, will amend them as appropriate.

United Nations
Security Council

Distr.
GENERAL
S/RES/1409 (2002)
14 May 2002

Resolution 1409 (2002)

Adopted by the Security Council at its 4531st meeting, on
14 May 2002

The Security Council,

Recalling its previous relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001, 1360 (2001) of 3 July 2001, and 1382 (2001) of 29 November 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of these resolutions,

Recalling its decision in resolution 1382 (2001) to adopt the proposed Goods Review List and procedures for its application annexed to resolution 1382 (2001), subject to any refinements to them agreed by the Council in light of further consultations, for implementation beginning on 30 May 2002,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, and the provisions of paragraphs 2, 3 and 5 to 13 of resolution 1360 (2001), and subject to paragraph 15 of resolution 1284 (1999) and the other provisions of this present resolution, shall remain in force for a new period of 180 days beginning at 0001 hours, Eastern Daylight Time, on 30 May 2002;

2. *Decides* to adopt the revised Goods Review List (S/2002/515) and the revised attached procedures for its application for implementation beginning at 0001 hours, Eastern Daylight Time, on 30 May 2002 as a basis for the

humanitarian programme in Iraq as referred to in resolution 986 (1995) and other relevant resolutions;

3. *Authorizes* States, beginning at 0001 hours, Eastern Daylight Time, on 30 May 2002, to permit, notwithstanding the provisions of paragraph 3 of resolution 661 (1990) and subject to the procedures for the application of the Goods Review List (S/2002/515), the sale or supply of any commodities or products other than commodities or products referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the Goods Review List (S/2002/515) pursuant to paragraph 24 of resolution 687 (1991) whose sale or supply to Iraq has not been approved by the Committee established pursuant to resolution 661 (1990);

4. *Decides* that, beginning at 0001 hours, Eastern Daylight Time, on 30 May 2002, the funds in the escrow account established pursuant to paragraph 7 of resolution 986 (1995) may also be used to finance the sale or supply to Iraq of those commodities or products that are authorized for sale or supply to Iraq under paragraph 3 above, provided that the conditions of paragraph 8 (a) of resolution 986 (1995) are met;

5. *Decides* to conduct regularly thorough reviews of the Goods Review List and the procedures for its implementation and to consider any necessary adjustment and further decides that the first such review and consideration of necessary adjustment shall be conducted prior to the end of the 180-day period established pursuant to paragraph 1 above;

6. *Decides* that, for the purposes of this resolution, references in resolution 1360 (2001) to the 150-day period established by that resolution shall be interpreted to refer to the 180-day period established pursuant to paragraph 1 above;

7. *Requests* that the Secretary-General and the Committee established pursuant to resolution 661 (1990) submit at least two weeks prior to the end of the 180-day period the reports referred to in paragraphs 5 and 6 of resolution 1360 (2001);

8. *Requests* the Secretary-General, in consultation with interested parties, to submit an assessment report on the implementation of the Goods Review List and its procedures by the end of the next period of implementation of resolution 986 (1995) beginning on 30 May 2002 and to include in the report recommendations on any necessary revision of the Goods Review List and its procedures, including the processing of contracts under paragraph 20 of resolution 687 (1991) and the utility of the Distribution Plan as referred to in paragraph 8 (a) (ii) of resolution 986 (1995);

9. *Decides* to remain seized of the matter.

<i>Procedures</i>

<p>1 – The following procedures replace paragraphs 29 to 34 of document S/1996/636* and other existing procedures, notably for the implementation of the relevant provisions of paragraphs 17, 18 and 25 of resolution 1284 (1999) related to the processing of applications to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995).</p>

<p>2 – Each application (the “Notification or Request to Ship Goods to Iraq,” as attached to these procedures, hereafter referred to as “the application,”) for the sale or supply of commodities or products, to include services ancillary to the supply of such commodities and products, to Iraq to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) must be forwarded to the Office of the Iraq Programme (OIP) by the exporting States through permanent or observer Missions, or by United Nations agencies and programmes. Each application should include complete technical specifications, as requested in the standard application form, concluded arrangements (e.g., contracts), and other relevant information, including, if known, whether the application contains any item(s) covered by the Goods Review List (GRL), in order for a determination to be made on whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL.</p>
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<p>3 – Each application will be reviewed and registered by OIP within 10 working days. In the case of a technically incomplete application, OIP may request additional information before transmitting the application to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA). If OIP determines that the requested information is not provided within 90 days, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not received within a further 90 days, the application will lapse. OIP should notify the submitting Mission or United Nations agency in writing of any change in the status of the application. The OIP will identify an official to act as a contact point on each application.</p>

<p>4 – After OIP registration of the application, each application will be evaluated by technical experts from UNMOVIC and IAEA in order to determine whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military related commodities or products covered by the GRL (“GRL item(s)”). At their discretion and subject to the approval of the 661 Committee, UNMOVIC and IAEA may issue guidance regarding what categories of applications do not contain any item(s) covered by paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL, UNMOVIC, IAEA and OIP, working in consultation, may develop a procedure whereby OIP may evaluate and approve applications that, based on this guidance, fall within these categories.</p>
<p>5 – Military goods and services are prohibited for sale or supply to Iraq under paragraph 24 of resolution 687(1991) and are not subject to review under the GRL. For consideration of dual-use goods and services referred to in paragraph 24 of resolution 687 (1991), UNMOVIC and IAEA should process these goods and services pursuant to paragraph 9 of these procedures</p>
<p>6 – Upon receipt of a registered application from OIP, UNMOVIC and/or IAEA will have 10 working days to evaluate an application as set forth in paragraphs 4 and 5. Absent action by UNMOVIC and/or IAEA within the 10-working-day period, the application will be considered approved. In the course of conducting the technical evaluation as set out in paragraphs 4 and 5 above, UNMOVIC and/or IAEA may request additional information from the submitting Mission or United Nations agency. The submitting Mission or United Nations agency should provide the additional information requested within a period of 90 days. Once UNMOVIC and/or IAEA receive the requested information, UNMOVIC and/or IAEA will have 10 working days to evaluate the application under the procedure set forth in paragraphs 4 and 5.</p>
<p>7 – If UNMOVIC and/or IAEA determine that the submitting Mission or United Nations agency has not provided the requested additional information within the 90-day period set out in paragraph 6 above, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will lapse. OIP should notify the submitting Mission or United Nations agency in writing of any change in the status of the application.</p>
<p>8 – If UNMOVIC and/or IAEA determine that the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, the application shall be considered ineligible for approval for the sale or supply to Iraq. UNMOVIC and/or IAEA will provide to the submitting Mission or United Nations agency through OIP a written explanation of this determination.</p>

9 – If UNMOVIC and/or IAEA determine that the application contains any GRL item(s), they will immediately inform through OIP the submitting Mission or United Nations agency. Pursuant to paragraph 11 below, absent a request by the submitting Mission or United Nations agency for reconsideration within 10 working days, OIP will forward the application containing the GRL item(s) to the 661 Committee for the purpose of evaluating whether the GRL item(s) may be sold or supplied to Iraq. UNMOVIC and/or IAEA will provide to the 661 Committee through OIP a written explanation of this determination. In addition, OIP, UNMOVIC and/or IAEA, at the request of the submitting Mission or United Nations agency, will provide to the 661 Committee an assessment of the humanitarian, economic and security implications, of the approval or denial of the GRL item(s), including the viability of the whole contract in which the GRL item(s) appears and the risk of diversion of the item(s) for military purposes. The assessment provided by OIP to the Committee should be transmitted in parallel by OIP to the submitting Mission or United Nations agency. OIP will immediately inform appropriate United Nations agents of the finding of a GRL item(s) in the application and that the GRL item(s) may not be sold or supplied to Iraq unless otherwise notified by OIP that the procedures set forth in paragraphs 11 or 12 have resulted in approval for sale or supply of the GRL item(s) to Iraq. The remaining items in the application, which are determined as not covered by the GRL, will be considered approved for sale or supply to Iraq and, at the discretion of the submitting Mission or United Nations agency, and with the consent of the contracting parties, will be processed according to the procedure in paragraph 10 below. The relevant approval letter may be issued for such approved items under request from the submitting Mission or United Nations agency.

10 – If UNMOVIC and/or IAEA determine that the application does not contain any item referred to in paragraph 4 above, OIP will inform immediately the Government of Iraq and the submitting Mission or United Nations agency in written form. The exporter will be eligible for payment from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) upon verification by United Nations agents that the items in the application have arrived in Iraq as contracted. OIP and the United Nations Treasury will inform the banks within five working days that the items in the application have arrived in Iraq.

11 – If the Mission or United Nations agency submitting an application disagrees with the determination that an application contains an item(s) covered by paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL, it may request a reconsideration of this decision, based on the provision of technical information and/or explanations not previously included in the application, within 10 working days to OIP. In that event, UNMOVIC and/or IAEA will reconsider the item(s) in accordance with the procedures set out in paragraphs 4 to 6 above. The decision of UNMOVIC and/or IAEA will be final and no further reconsideration will be permitted. UNMOVIC and/or IAEA will provide to the 661 Committee through OIP a written explanation of the final decision of the reconsideration process. Applications shall not be forwarded to the 661 Committee until the reconsideration period has expired without a request being filed.

12 – Upon receipt of an application pursuant to paragraphs 9 or 11 above, the 661 Committee will have 10 working days to determine under existing procedures whether the item(s) may be sold or supplied to Iraq. The Committee may take a decision on an item(s) according to the following options: (a) Approval; (b) Approval subject to conditions as stipulated by the Committee; (c) Denial; (d) Request for additional information. Absent action by the Committee within the 10-working-day period, the application will be considered approved. A Committee member may request additional information. If the additional information is not provided in a 90-day period, the item(s) will be considered and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will be considered lapsed. OIP should notify the submitting Mission or United Nations agency in writing of any change in the status of the application. The Committee will have 20 working days to evaluate the requested additional information once provided by the submitting Mission or United Nations agency. Absent action by the Committee during the 20-working-day period, the item will be considered approved.

13 – Where the 661 Committee does not approve an item(s) for sale or supply to Iraq, the Committee will notify the submitting Mission or United Nations agency with an explanation through OIP accordingly. The submitting Mission or United Nations agency will have 30 working days to petition OIP to have the 661 Committee reconsider its decision based on new information not previously included in the application as reviewed by the 661 Committee. A decision by the 661 Committee on a petition received during this period shall be made within five working days and shall be considered final. Absent such a petition within 30 working days, the item will be considered ineligible for sale or supply to Iraq and OIP will notify the submitting Mission or United Nations agency accordingly.

14 – If an item(s) is found ineligible for sale or supply to Iraq or is considered lapsed, the supplier may submit a new application based on either a new or an amended contract, and the new application will be evaluated under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

15 – If an item(s) is substituted for an item(s) that is either found ineligible for sale or supply to Iraq or is considered lapsed, the new item(s) will be submitted as a new application under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

16 – Experts from OIP, UNMOVIC and IAEA who evaluate applications should be drawn from the broadest possible geographical base.

17 – The United Nations Secretariat will report to the 661 Committee at the end of each phase on the status of all applications submitted during this period, including contracts recirculated pursuant to paragraph 18 below. The Secretariat will provide to members of the 661 Committee at their request copies of applications approved by OIP, UNMOVIC and IAEA, within three working days after their approval, for information purposes only.

18 – OIP will divide contracts currently on hold into two categories — category A and category B. Category A will contain contracts on hold that have been designated by UNMOVIC as containing item(s) on one or more of the UNSCR resolution 1051 lists. Category A will also contain contracts that were both processed before the Security Council adopted UNSCR resolution 1284 and assessed by one or more members of the Sanctions Committee as containing item(s) on one or more of the UNSCR resolution 1051 lists. OIP will consider contracts in category A to be “returned to the submitting Mission or United Nations agency” and will notify the submitting Mission or United Nations agency accordingly, including national comments if possible. The submitting Mission or United Nations agency may submit a contract in category A as a new application under the GRL procedures. In category B will be all other contracts currently on hold. Contracts in category B will be recirculated by OIP under the GRL procedures. OIP will append the original committee registration number and national comments, for information purposes only, to any recirculated contracts. OIP should start this recirculation procedure within 60 days of adoption of this resolution and should complete the recirculation process within 60 days thereafter.

May 2002 - REVISED

SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ			
For further guidance regarding completion of application please consult OIP web site (www.un.org/Depts/oip/index)			
(TO BE COMPLETED BY THE SECRETARIAT)			
COMM. No.	REGISTRATION DATE	DATE RECEIVED BY UNMOVIC/IAEA (if applicable)	DATE SENT TO THE COMMITTEE (if applicable)
(TO BE COMPLETED BY PROSPECTIVE EXPORTING COUNTRY or INTERNATIONAL ORGANIZATION)			
1. MISSION OR INTERNATIONAL ORGANIZATION		2. CERTIFYING SIGNATURE AND OFFICIAL SEAL	
3. DATE OF SUBMISSION		4. MISSION REFERENCE No	
5. GOODS TO BE SHIPPED (General description of the goods)	6. NUMBER OF LINE ITEMS ON THE EXCEL FORM ATTACHMENT	7. TOTAL VALUE	8. CURRENCY ISO CODE
9. EXPORTER Name: Address: Country: Phone/Fax/E-mail:		10. ORIGIN of GOODS (if different from applicant State)	
11. RECEIVING COMPANY/ORG. Name: Address: Phone/Fax/E-mail:		12. SHIPPING ARRANGEMENTS: Select ONE Point of Entry into Iraq ! Trebil ! Al Waleed ! Zakho ! Umm Qasr	
13. END USER entity (if different from receiving company/org.) Name: Address: Phone/Fax/E-mail:		14. END USE Provide details of intended end-use. (attach additional sheets if necessary)	
15. METHOD OF PAYMENT ! From the Iraq Account in accordance with SC resolution 986 (1995) ! By other arrangement (in this case, disregard page 2) In this case, please fill out PAGE 2 (Relevant documentation including contract(s) must be attached)			
16. ADDITIONAL INFORMATION:(Attach additional sheet if necessary)			

2002)8IF THIS NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQIS
TO BE PAID FROM THE IRAQ ACCOUNT IN ACCORDANCE WITH SC
RESOLUTION 986 (1995)PLEASE FILL OUT THESE ADDITIONAL BOXES
(see box 15 on page 1)

MISSION REFERENCE No. :
<p>17.IDENTICAL GOODS PREVIOUSLY SUBMITTED:</p> <p>Indicate whether or not you have previously submitted an application(s) for IDENTICAL goods. ! YES ! NO ! UNABLE TO DETERMINE</p> <p>If YES provide Comm. number reference(s) with respective item number(s).</p>
<p>18. DETAILED LIST OF GOODS:</p> <p>Indicate whether or not the scope of supply includes any spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables ! YES ! NO</p> <p>If YES indicate whether or not all components of the spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables have been listed as separate line items with the relevant description, quantity and price on the attached Excel form application ! YES ! NO (in this case, the document will not be registered by the Secretariat)</p>
<p>19. TECHNICAL INFORMATION:</p> <p>Indicate whether or not the scope of supply includes (separately or as part of larger item) any of the goods and/or technology specified on the OIP web site (http://www.un.org/Depts/oip/cpmd/delays) ! YES ! NO</p> <p>If YES indicate whether or not the relevant technical specification form for each item has been completed and attached to the application ! YES ! NO</p>

20. GRL RELATED ITEM(S) AND/OR TECHNOLOGY:

Indicate whether or not the scope of supply includes any item included in the Goods Review List (GRL). The GRL may be accessed via the OIP web site (<http://www.un.org/Depts/oip...>)

..! YES ! NO ! UNABLE TO DETERMINE

If **YES** indicate below the line item number and description as from the Excel sheet of these goods considered to be included on the GRL

.Line Item No.
Description
GRL Ref. No.

(attach additional sheets if necessary)

IMPORTANT NOTICE

The following attachments are compulsory

- 1) Excel form application listing IN DETAIL all goods (including all spare parts, accessories ...) + diskette
- 2) Contract signed by both parties with all attachments, enclosures and annexes
- 3) All relevant documentations and/or technical specifications of the goods (e.g. brochures, pictures, diagrams, chemical composition, material composition, etc.)

For further guidance regarding completion of application please consult OIP web site
(<http://www.un.org/Depts/oip/index>)

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1441 (2002)
8 November 2002

Resolution 1441 (2002)

Adopted by the Security Council at its 4644st meeting, on
8 November 2002

The Security Council,

Recalling all its previous relevant resolutions, in particular its resolutions 661 (1990) of 6 August 1990, 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, and 1284 (1999) of 17 December 1999, and all the relevant statements of its President,

Recalling also its resolution 1382 (2001) of 29 November 2001 and its intention to implement it fully,

Recognizing the threat Iraq's non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security,

Recalling that its resolution 678 (1990) authorized Member States to use all necessary means to uphold and implement its resolution 660 (1990) of 2 August 1990 and all relevant resolutions subsequent to resolution 660 (1990) and to restore international peace and security in the area,

Further recalling that its resolution 687 (1991) imposed obligations on Iraq as a necessary step for achievement of its stated objective of restoring international peace and security in the area,

Deploing the fact that Iraq has not provided an accurate, full, final, and complete disclosure, as required by resolution 687 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than one hundred and fifty kilometres, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes, including any which it claims are for purposes not related to nuclear-weapons-usable material,

Deploing further that Iraq repeatedly obstructed immediate, unconditional, and unrestricted access to sites designated by the United Nations Special

Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), failed to cooperate fully and unconditionally with UNSCOM and IAEA weapons inspectors, as required by resolution 687 (1991), and ultimately ceased all cooperation with UNSCOM and the IAEA in 1998,

Deploring the absence, since December 1998, in Iraq of international monitoring, inspection, and verification, as required by relevant resolutions, of weapons of mass destruction and ballistic missiles, in spite of the Council's repeated demands that Iraq provide immediate, unconditional, and unrestricted access to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), established in resolution 1284 (1999) as the successor organization to UNSCOM, and the IAEA, and regretting the consequent prolonging of the crisis in the region and the suffering of the Iraqi people,

Deploring also that the Government of Iraq has failed to comply with its commitments pursuant to resolution 687 (1991) with regard to terrorism, pursuant to resolution 688 (1991) to end repression of its civilian population and to provide access by international humanitarian organizations to all those in need of assistance in Iraq, and pursuant to resolutions 686 (1991), 687 (1991), and 1284 (1999) to return or cooperate in accounting for Kuwaiti and third country nationals wrongfully detained by Iraq, or to return Kuwaiti property wrongfully seized by Iraq,

Recalling that in its resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein,

Determined to ensure full and immediate compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) and other relevant resolutions and recalling that the resolutions of the Council constitute the governing standard of Iraqi compliance,

Recalling that the effective operation of UNMOVIC, as the successor organization to the Special Commission, and the IAEA is essential for the implementation of resolution 687 (1991) and other relevant resolutions,

Noting that the letter dated 16 September 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General is a necessary first step toward rectifying Iraq's continued failure to comply with relevant Council resolutions,

Noting further the letter dated 8 October 2002 from the Executive Chairman of UNMOVIC and the Director-General of the IAEA to General Al-Saadi of the Government of Iraq laying out the practical arrangements, as a follow-up to their meeting in Vienna, that are prerequisites for the resumption of inspections in Iraq by UNMOVIC and the IAEA, and expressing the gravest concern at the continued failure by the Government of Iraq to provide confirmation of the arrangements as laid out in that letter,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq, Kuwait, and the neighbouring States,

Commending the Secretary-General and members of the League of Arab States and its Secretary-General for their efforts in this regard,

Determined to secure full compliance with its decisions,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that Iraq has been and remains in material breach of its obligations under relevant resolutions, including resolution 687 (1991), in particular through Iraq's failure to cooperate with United Nations inspectors and the IAEA, and to complete the actions required under paragraphs 8 to 13 of resolution 687 (1991);
2. *Decides*, while acknowledging paragraph 1 above, to afford Iraq, by this resolution, a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council; and accordingly decides to set up an enhanced inspection regime with the aim of bringing to full and verified completion the disarmament process established by resolution 687 (1991) and subsequent resolutions of the Council;
3. *Decides* that, in order to begin to comply with its disarmament obligations, in addition to submitting the required biannual declarations, the Government of Iraq shall provide to UNMOVIC, the IAEA, and the Council, not later than 30 days from the date of this resolution, a currently accurate, full, and complete declaration of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems such as unmanned aerial vehicles and dispersal systems designed for use on aircraft, including any holdings and precise locations of such weapons, components, subcomponents, stocks of agents, and related material and equipment, the locations and work of its research, development and production facilities, as well as all other chemical, biological, and nuclear programmes, including any which it claims are for purposes not related to weapon production or material;
4. *Decides* that false statements or omissions in the declarations submitted by Iraq pursuant to this resolution and failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this resolution shall constitute a further material breach of Iraq's obligations and will be reported to the Council for assessment in accordance with paragraphs 11 and 12 below;
5. *Decides* that Iraq shall provide UNMOVIC and the IAEA immediate, unimpeded, unconditional, and unrestricted access to any and all, including underground, areas, facilities, buildings, equipment, records, and means of transport which they wish to inspect, as well as immediate, unimpeded, unrestricted, and private access to all officials and other persons whom UNMOVIC or the IAEA wish to interview in the mode or location of UNMOVIC's or the IAEA's choice pursuant to any aspect of their mandates; further decides that UNMOVIC and the IAEA may at their discretion conduct interviews inside or outside of Iraq, may facilitate the travel of those interviewed and family members outside of Iraq, and that, at the sole discretion of UNMOVIC

and the IAEA, such interviews may occur without the presence of observers from the Iraqi Government; and instructs UNMOVIC and requests the IAEA to resume inspections no later than 45 days following adoption of this resolution and to update the Council 60 days thereafter;

6. *Endorses* the 8 October 2002 letter from the Executive Chairman of UNMOVIC and the Director-General of the IAEA to General Al-Saadi of the Government of Iraq, which is annexed hereto, and decides that the contents of the letter shall be binding upon Iraq;

7. *Decides* further that, in view of the prolonged interruption by Iraq of the presence of UNMOVIC and the IAEA and in order for them to accomplish the tasks set forth in this resolution and all previous relevant resolutions and notwithstanding prior understandings, the Council hereby establishes the following revised or additional authorities, which shall be binding upon Iraq, to facilitate their work in Iraq:

- UNMOVIC and the IAEA shall determine the composition of their inspection teams and ensure that these teams are composed of the most qualified and experienced experts available;
- All UNMOVIC and IAEA personnel shall enjoy the privileges and immunities, corresponding to those of experts on mission, provided in the Convention on Privileges and Immunities of the United Nations and the Agreement on the Privileges and Immunities of the IAEA;
- UNMOVIC and the IAEA shall have unrestricted rights of entry into and out of Iraq, the right to free, unrestricted, and immediate movement to and from inspection sites, and the right to inspect any sites and buildings, including immediate, unimpeded, unconditional, and unrestricted access to Presidential Sites equal to that at other sites, notwithstanding the provisions of resolution 1154 (1998) of 2 March 1998;
- UNMOVIC and the IAEA shall have the right to be provided by Iraq the names of all personnel currently and formerly associated with Iraq's chemical, biological, nuclear, and ballistic missile programmes and the associated research, development, and production facilities;
- Security of UNMOVIC and IAEA facilities shall be ensured by sufficient United Nations security guards;
- UNMOVIC and the IAEA shall have the right to declare, for the purposes of freezing a site to be inspected, exclusion zones, including surrounding areas and transit corridors, in which Iraq will suspend ground and aerial movement so that nothing is changed in or taken out of a site being inspected;
- UNMOVIC and the IAEA shall have the free and unrestricted use and landing of fixed- and rotary-winged aircraft, including manned and unmanned reconnaissance vehicles;

– UNMOVIC and the IAEA shall have the right at their sole discretion verifiably to remove, destroy, or render harmless all prohibited weapons, subsystems, components, records, materials, and other related items, and the right to impound or close any facilities or equipment for the production thereof; and

– UNMOVIC and the IAEA shall have the right to free import and use of equipment or materials for inspections and to seize and export any equipment, materials, or documents taken during inspections, without search of UNMOVIC or IAEA personnel or official or personal baggage;

8. *Decides* further that Iraq shall not take or threaten hostile acts directed against any representative or personnel of the United Nations or the IAEA or of any Member State taking action to uphold any Council resolution;
9. *Requests* the Secretary-General immediately to notify Iraq of this resolution, which is binding on Iraq; demands that Iraq confirm within seven days of that notification its intention to comply fully with this resolution; and demands further that Iraq cooperate immediately, unconditionally, and actively with UNMOVIC and the IAEA;
10. *Requests* all Member States to give full support to UNMOVIC and the IAEA in the discharge of their mandates, including by providing any information related to prohibited programmes or other aspects of their mandates, including on Iraqi attempts since 1998 to acquire prohibited items, and by recommending sites to be inspected, persons to be interviewed, conditions of such interviews, and data to be collected, the results of which shall be reported to the Council by UNMOVIC and the IAEA;
11. *Directs* the Executive Chairman of UNMOVIC and the Director-General of the IAEA to report immediately to the Council any interference by Iraq with inspection activities, as well as any failure by Iraq to comply with its disarmament obligations, including its obligations regarding inspections under this resolution;
12. *Decides* to convene immediately upon receipt of a report in accordance with paragraphs 4 or 11 above, in order to consider the situation and the need for full compliance with all of the relevant Council resolutions in order to secure international peace and security;
13. *Recalls*, in that context, that the Council has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations;
14. *Decides* to remain seized of the matter.

Annex

Text of Blix/El-Baradei letter

**United Nations Monitoring, Verification
and Inspection Commission**

International Atomic Energy Agency

The Executive Chairman

The Director General

8 October 2002

Dear General Al-Saadi,

During our recent meeting in Vienna, we discussed practical arrangements that are prerequisites for the resumption of inspections in Iraq by UNMOVIC and the IAEA. As you recall, at the end of our meeting in Vienna we agreed on a statement which listed some of the principal results achieved, particularly Iraq's acceptance of all the rights of inspection provided for in all of the relevant Security Council resolutions. This acceptance was stated to be without any conditions attached.

During our 3 October 2002 briefing to the Security Council, members of the Council suggested that we prepare a written document on all of the conclusions we reached in Vienna. This letter lists those conclusions and seeks your confirmation thereof. We shall report accordingly to the Security Council.

In the statement at the end of the meeting, it was clarified that UNMOVIC and the IAEA will be granted immediate, unconditional and unrestricted access to sites, including what was termed "sensitive sites" in the past. As we noted, however, eight presidential sites have been the subject of special procedures under a Memorandum of Understanding of 1998. Should these sites be subject, as all other sites, to immediate, unconditional and unrestricted access, UNMOVIC and the IAEA would conduct inspections there with the same professionalism.

H.E. General Amir H. Al-Saadi
Advisor
Presidential Office
Baghdad
Iraq

We confirm our understanding that UNMOVIC and the IAEA have the right to determine the number of inspectors required for access to any particular site. This determination will be made on the basis of the size and complexity of the site being inspected. We also confirm that Iraq will be informed of the designation of additional sites, i.e. sites not declared by Iraq or previously inspected by either UNSCOM or the IAEA, through a Notification of Inspection (NIS) provided upon arrival of the inspectors at such sites.

Iraq will ensure that no proscribed material, equipment, records or other relevant items will be destroyed except in the presence of UNMOVIC and/or IAEA inspectors, as appropriate, and at their request. UNMOVIC and the IAEA may conduct interviews with any person in Iraq whom they believe may have information relevant to their mandate. Iraq will facilitate such interviews. It is for UNMOVIC and the IAEA to choose the mode and location for interviews.

The National Monitoring Directorate (NMD) will, as in the past, serve as the Iraqi counterpart for the inspectors. The Baghdad Ongoing Monitoring and Verification Centre (BOMVIC) will be maintained on the same premises and under the same conditions as was the former Baghdad Monitoring and Verification Centre. The NMD will make available services as before, cost free, for the refurbishment of the premises.

The NMD will provide free of cost: (a) escorts to facilitate access to sites to be inspected and communication with personnel to be interviewed; (b) a hotline for BOMVIC which will be staffed by an English speaking person on a 24 hour a day/seven days a week basis; (c) support in terms of personnel and ground transportation within the country, as requested; and (d) assistance in the movement of materials and equipment at inspectors' request (construction, excavation equipment, etc.). NMD will also ensure that escorts are available in the event of inspections outside normal working hours, including at night and on holidays.

Regional UNMOVIC/IAEA offices may be established, for example, in Basra and Mosul, for the use of their inspectors. For this purpose, Iraq will provide, without cost, adequate office buildings, staff accommodation, and appropriate escort personnel.

UNMOVIC and the IAEA may use any type of voice or data transmission, including satellite and/or inland networks, with or without encryption capability. UNMOVIC and the IAEA may also install equipment in the field with the capability for transmission of data directly to the BOMVIC, New York and Vienna (e.g. sensors, surveillance cameras). This will be facilitated by Iraq and there will be no interference by Iraq with UNMOVIC or IAEA communications.

Iraq will provide, without cost, physical protection of all surveillance equipment, and construct antennae for remote transmission of data, at the request of UNMOVIC and the IAEA. Upon request by UNMOVIC through the NMD, Iraq will allocate frequencies for communications equipment.

Iraq will provide security for all UNMOVIC and IAEA personnel. Secure and suitable accommodations will be designated at normal rates by Iraq for these personnel. For their part, UNMOVIC and the IAEA will require that their staff not stay at any accommodation other than those identified in consultation with Iraq.

On the use of fixed-wing aircraft for transport of personnel and equipment and for inspection purposes, it was clarified that aircraft used by UNMOVIC and IAEA staff arriving in Baghdad may land at Saddam International Airport. The points of departure of incoming aircraft will be decided by UNMOVIC. The Rasheed airbase will continue to be used for UNMOVIC and IAEA helicopter operations. UNMOVIC and Iraq will establish air liaison offices at the airbase. At both Saddam International Airport and Rasheed airbase, Iraq will provide the necessary support premises and facilities. Aircraft fuel will be provided by Iraq, as before, free of charge.

On the wider issue of air operations in Iraq, both fixed-wing and rotary, Iraq will guarantee the safety of air operations in its air space outside the no-fly zones. With regard to air operations in the no-fly zones, Iraq will take all steps within its control to ensure the safety of such operations.

Helicopter flights may be used, as needed, during inspections and for technical activities, such as gamma detection, without limitation in all parts of Iraq and without any area excluded. Helicopters may also be used for medical evacuation.

On the question of aerial imagery, UNMOVIC may wish to resume the use of U-2 or Mirage overflights. The relevant practical arrangements would be similar to those implemented in the past.

As before, visas for all arriving staff will be issued at the point of entry on the basis of the UN Laissez-Passer or UN Certificate; no other entry or exit formalities will be required. The aircraft passenger manifest will be provided one hour in advance of the arrival of the aircraft in Baghdad. There will be no searching of UNMOVIC or IAEA personnel or of official or personal baggage. UNMOVIC and the IAEA will ensure that their personnel respect the laws of Iraq restricting the export of certain items, for example, those related to Iraq's national cultural heritage. UNMOVIC and the IAEA may bring into, and remove from, Iraq all of the items and materials they require, including satellite phones and other equipment. With respect to samples, UNMOVIC and IAEA will, where feasible, split samples so that Iraq may receive a portion while another portion is kept for reference purposes. Where appropriate, the organizations will send the samples to more than one laboratory for analysis.

We would appreciate your confirmation of the above as a correct reflection of our talks in Vienna.

Naturally, we may need other practical arrangements when proceeding with inspections. We would expect in such matters, as with the above, Iraq's co-operation in all respect.

(Signed)

Hans **Blix**

Executive Chairman

United Nations Monitoring,

Verification and Inspection Commission

Yours sincerely,

(Signed)

Mohamed **ElBaradei**

Director General

International Atomic Energy Agency

**United Nations
Security Council**

Distr.
GENERAL
S/2002/1236
8 November 2002

Original: English

**Letter dated 8 November 2002 from the representatives of China,
France and the Russian Federation to the United Nations addressed
to the President of the Security Council**

Please find herewith a joint statement of the Governments of
China, France and the Russian Federation relating to Security Council
resolution 1441 (2002) concerning Iraq (see annex).

We should be grateful if you could circulate this joint statement as
a document of the Security Council.

(Signed) **Zhang Yishan**
Ambassador
Deputy Permanent Representative of China

(Signed) Jean-David **Lévitte**
Ambassador
Permanent Representative of France

(Signed) Sergey **Lavrov**
Ambassador
Permanent Representative of the Russian Federation

**Annex to the letter dated 8 November 2002 from the
representatives of China, France and the Russian Federation
to the United Nations addressed to the President of the
Security Council**

**Joint statement by the People's Republic of China, France and
the Russian Federation**

Resolution 1441 (2002) adopted today by the Security Council excludes any automaticity in the use of force. In this regard, we register with satisfaction the declarations of the representatives of the United States and the United Kingdom confirming this understanding in their explanations of vote, and assuring that the goal of the resolution is the full implementation of the existing Security Council resolutions on disarmament of Iraq's weapons of mass destruction. All Security Council members share this goal.

In case of failure by Iraq to comply with its obligations, the provisions of paragraphs 4, 11 and 12 will apply. Such failure will be reported to the Security Council by the Executive Chairman of UNMOVIC or by the Director General of IAEA. It will be then for the Council to take a position on the basis of that report.

Therefore, the resolution fully respects the competences of the Security Council in the maintenance of international peace and security, in conformity with the Charter of the United Nations.

**United Nations
Security Council**

Distr.
GENERAL
S/2002/1242
13 November 2002

Original: English

**Letter dated 13 November 2002 from the Secretary-General
addressed to the President of the Security Council**

I have the honour to convey the attached communication, dated 13 November 2002, from the Minister for Foreign Affairs of the Republic of Iraq, His Excellency Mr. Naji Sabri.

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

(Signed) Kofi A. **Annan**

Annex

Letter dated 13 November 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

[Original: Arabic]

In the Name of God, the Merciful, the Compassionate

“Go to Pharaoh; he has overstepped the bounds.
But speak to him with gentle words
so that hopefully he will pay heed or show some fear”

Almighty God has spoken the truth.

His Excellency Mr. Kofi Annan
Secretary-General of the United Nations
New York, N.Y.

Sir,

You may recall the enormous uproar created by the President of the United States of America in the greatest and most wicked slander against Iraq, in which he was followed in his malicious intent and preceded in word and infliction of harm by his lackey Tony Blair, when they spread the rumour that Iraq might have produced or might have been on the way to producing nuclear weapons during the period since 1998 in which the international inspectors were absent. They later asserted that Iraq had indeed produced chemical and biological weapons, though they know as well as we do, and other States are in a position to know, that this is an utterly unfounded fabrication. But does knowledge of the truth even enter into the vocabulary of political interaction in our time, after evil has been unleashed to the fullest within the American administration and any hope of good has been dashed? Indeed, is there any good to be expected or hoped for from American administrations now that they have been transformed by their greed, by Zionism and by other well-known factors into the false god of our time?

After some States and the public were taken in by this lie, while others remained silent, Iraq confronted them with its consent to the return of the international inspectors after agreeing with you, as representative of the United Nations in New York, on 16 September 2002, and in a press statement issued jointly in Vienna on 30 September/1 October 2002 by an Iraqi technical delegation headed by Amer Al-Saadi, Chief Inspector Hans Blix and Mohamed ElBaradei, Director General of the International Atomic Energy Agency (IAEA). Yet a few hours after Iraq's consent to the return of the inspectors became an established fact, including agreement on 19 October 2002 as the date of their arrival, Colin Powell, the American Secretary of State, declared that he would refuse to have the inspectors go to Iraq. The gang of evil began once again to talk of the need to adopt a new resolution in order to entertain the people of the world with something new, rather than following the teams of inspectors and witnessing the facts stated by Iraq,

namely that it neither had produced nor possessed any nuclear, chemical or biological weapons of mass destruction during the absence of the inspectors. The officials in the international Organization and its agencies, however, and especially those from the permanent members of the Security Council, rather than engaging in such monitoring so as to expose those responsible for their lies and false accusations, busied themselves with discussions of the nature and wording of the new resolution. They would strike or add a letter here and letter there, a word here and a word there, until they reached agreement, on the argument that it was better to take the kicks of a raging bull in a small ring than to face its horns in an open space. This took place under the pressure of the American administration and its threats to withdraw from the international Organization unless it agreed to what America wanted, which was at best evil in the extreme and a reason for embarrassment for every honest and free member of the international Organization who recalls the provisions of the Charter and sees that there are some who feel shame on behalf of those members who are shameless.

We have told members of the Security Council whom we have contacted or who have contacted us, when they spoke to us of the pretexts of the Americans and their threats of aggression against our country, either by themselves or with whomever might stand with them if the Security Council did not agree to what they wanted, that we preferred, if it was inevitable, to have America alone attack us and to confront it, placing our trust in God, rather than having it obtain international cover with which to camouflage its lies in whole or in part, bringing falsehood closer to the truth so that it might stab the truth with the dagger of evil and perfidy. Indeed, we have confronted it before, at a time when it could be characterized the same way, and that was one of the reasons for its isolation in the human environment all over the globe.

America's aggressiveness and single-handed infliction of injustice and destruction on its victims, chief among them Muslim and Arab believers, constitute the main reason for its withdrawing its ambassadors and other staff, closing its embassies and limiting its interests in many parts of the world, in addition to the hatred of the peoples of the world for its aggressive policies and objectives. This is a situation which no other country in the world has experienced before, not even the fathers of colonialism in earlier times. Yet the Security Council, or more exactly those who basically run it, instead of leaving the American administration and its lackey, behind whom stands hateful Zionism, to reap the consequences of the evil they have sown, have saved iniquity rather than curbing it. We shall see, and then remorse will not be of any avail as they bite their fingers.

The influence of any international organization is based on the conviction and trust of the community in which it exists, once the organization declares that it has been established to serve goals important to that community. We fear that the United Nations will lose the trust and interest of peoples, if that has not already taken place, once it has been exhausted by powerful interests, wherever those interests converge at the expense of other peoples or flatter each other and haggle over what is false at the expense of what is true. Thus

the United Nations and its agencies will collapse just as the League of Nations did before it. The responsibility for this will not rest on the American administration alone, but on all those who, in their weakness, work for its interests, yielding to its threats, enticements or promises.

He who fails to speak out the truth is a voiceless demon. Nothing is more distressing than the silence of the representatives of States in the Security Council during their discussion of the American draft in the face of the question raised by the representative of Mexico regarding the possibility of lifting the sanctions imposed on Iraq. During the consultations in the Security Council concerning resolution 1441 on 7 November 2002, the Mexican representative said that he was not satisfied with the explanations provided by the American ambassador concerning the absence of any reference to the lifting of the sanctions and the establishment in the Middle East of a zone free from weapons of mass destruction, adding that he would convey this to his Government in order to receive instructions. The British representative replied that he had listened to the statements of the delegations of Syria and Mexico regarding the inclusion in the resolution of a paragraph on the lifting of the sanctions. He said that Iraq had previously been afforded an opportunity to rid itself of weapons of mass destruction, but had ignored it and made a decision to keep them. Consequently, any reference to the lifting of the sanctions while Iraq still had such weapons was improper. Nevertheless, an indirect reference to that effect was being included. We should add that none of the representatives asked him when, how or where such an alleged decision had been taken by Iraq to keep weapons of mass destruction. The delegates treated the statement of the British representative as though it related to a matter that did not concern them, or rather, as though telling the truth was of no concern to them. Do not this and other things, together with the decline in the prestige of international organizations of this nature, point to the possibility of the collapse of this international Organization, which was founded to maintain international peace and security, but has turned into a kitchen for haggling over the interests of the big powers and for providing cover for war, destruction, blockades and the starvation of peoples?

The future will be determined in the light of the potential for reform, or the inability to achieve reform, as will the future of the United Nations. All those who show their concern in deed and not merely in word to foster this international Organization and its work on the basis of its Charter so that stability, justice and fairness prevail throughout the world as a route to peace, freedom and cooperation among peoples are called upon to exercise caution and act in accordance with international law and the Charter of the United Nations and not at whim in accordance with the unrestrained tendencies of those who threaten the world with their weapons and evil endeavours and those who narrow-mindedly look to their own interests, which they seek to achieve by bargaining at the expense of truth, justice and fairness.

We know that those who pressed the case in the Security Council for the adoption of Security Council resolution 1441 (2002) have objectives other than to ascertain that Iraq has developed no weapons of mass destruction in the absence of the inspectors from Iraq since 1998. You are aware of how they

left Iraq and who was the cause of their departure. Although we are aware that, following the widely known understanding between the representatives of Iraq and the Secretary-General and the press statement issued by Blix, El Baradei and the representatives of Iraq, there are no facts or principles of justice and fairness to necessitate the adoption of that resolution in the name of the Security Council, we hereby inform you that we will deal with resolution 1441 (2002), despite its iniquitous contents, even though it is to be implemented against the background of the intentions harboured by those of bad faith. Based as this is in an attempt to spare our people harm, we shall not forget, just as others should not forget, that the preservation of our people's dignity and of their security and independence within their homeland is a sacred and honourable national duty on the agenda of our leadership and our Government. The same is true of the protection of the homeland and its sovereignty, together with that of the people and their security, interests and high values, from antagonists and oppressors. Hence, as we said in the aforementioned agreement and press statement, we are ready to receive the inspectors so that they can perform their duties and ascertain that Iraq has produced no weapons of mass destruction in their absence from Iraq since 1998 under the circumstances known both to you and to the Security Council. We request you to inform the Security Council that we are ready to receive the inspectors in accordance with the established dates. All concerned parties should remember that we are in our holy month of Ramadan and that the people are fasting, and that after this month is a feast. The concerned bodies and officials, however, will cooperate with the inspectors against this entire background and that of the tripartite statement of France, the Russian Federation and China. The Government of Iraq will also take all of this into consideration when dealing with the inspectors and with all matters relating to their demeanour and the intentions of any one of them who demonstrates bad faith or an inappropriate approach to preserving the national dignity, independence and security of the people and the security, independence and sovereignty of the homeland. We are eager for them to accomplish their task in

accordance with international law as soon as possible. If they do so in a professional and lawful manner, and without previously planned goals, the fabrications of the liars will be revealed to the public and the declared aim of the Security Council will be achieved. At that point, the Security Council will become legally obligated to lift the embargo from Iraq, failing which all persons of goodwill throughout the world, in addition to Iraq, will tell it to lift the embargo and all the other unjust sanctions from Iraq. Before the public and the law, the Council will be under obligation to apply paragraph 14 of its resolution 687 (1991) to the Zionist entity (Israel) and thereafter to the entire region of the Middle East so that it is free of weapons of mass destruction. The worldwide number of fair-minded persons will increase, together with Iraq's potential to drive from its environment the cawing of the crows of evil, who daily raid its lands, demolish its property and take the lives of those hit by their bombs, if not already claimed by the evil-doers themselves. When this happens, it will help to stabilize the region and the world, if accompanied by a solution not based on double standards to end the Zionist occupation of Palestine and if the aggressors desist from their attacks against Muslims and the world.

We therefore reiterate, through you, the same statement to the Security Council: send the inspectors to Iraq to ascertain as much and, if their conduct is thoroughly supervised to ensure that it is lawful and professional, everyone will be assured that Iraq has produced no nuclear, chemical or biological weapons of mass destruction, whatever allegations to the contrary are made by the evil pretenders. The fabrications of the liars and the deceit of the charlatans in the American and British administrations will be revealed before the world in contrast to the truthfulness of the proud Iraqis and the correctness of what they say and do. If, however, the opportunity is left for the whim of the American administration and the desires of Zionism, coupled with the followers, intelligence services, threats and foul inducements of each, to manipulate and play with the inspection teams and among their ranks, the picture will be muddled and the ensuing confusion will distort the facts and push matters in a dangerous direction, to the edge of the precipice, a situation wanted neither by the fair-minded nor by those, including my Government, who seek to uncover the facts as they stand. The fieldwork and the implementation will be the deciding factors as to whether the true intent was for the Security Council to ascertain that Iraq is free of those alleged weapons or whether the entire matter is nothing more than an evil cover for the authors of the resolution, with their vile slander and their shamelessness in lying to the public, including their own peoples.

So let the inspectors come to Baghdad to perform their duty in accordance with the law, whereupon we shall hear and see, together with those who hear, see and act, each in accordance with his obligations and rights as established in the Charter of the United Nations and international law. The final frame of reference continues to be resolution 687 (1991), which imposes obligations on the Security Council and Iraq, as well as the code of conduct contained in the agreement signed with the Secretary-General in New York on 16 September 2002 and the press statement issued jointly with Hans Blix and El Baradei in Vienna on 30 September-1 October 2002.

We hope that you will exercise your responsibilities by speaking to the oppressors and advising them that their unjust treatment of Muslims, faithful Arabs and all people has disastrous consequences and that God is omnipotent and capable of all things. Tell them that the people of Iraq are proud, faithful and militant, having fought and waged war against the former colonialism, imperialism and aggression, including that of the false god, for years and years. The price paid for the preservation of their independence, dignity and the high principles in which they believed was rivers of blood, together with a great deal of deprivation and damage to their wealth, alongside the immortal achievements and record in which they take pride. We hope that you will advise those who are ignorant not to push the situation to the edge of the precipice at the time of implementation, because the people of Iraq will not choose to live if the price is their dignity, their homeland, their freedom or the things sacrosanct to them. On the contrary, the price will be their lives if that is the only way forward to preserve what must be preserved.

Before concluding this letter of mine, I should like to inform you that I shall address a further detailed letter to you in due course, stating our

comments on the procedures and measures contained in resolution 1441 (2002) that are inconsistent with international law, the Charter of the United Nations, the established facts and the requirements of previous relevant Security Council resolutions.

“Have you guaranteed that the One in heaven will not strike earth and cause it to tumble?”

Almighty God has spoken the truth.

God is great.

(Signed) Naji **Sabri**
Minister for Foreign Affairs of the Republic of Iraq

13 November 2002

**United Nations
Security Council**

Distr.
GENERAL
S/2002/1294
25 November 2002

Original: English

**Letter dated 25 November 2002 from the Secretary-General
addressed to the President of the Security Council**

I have the honour to convey the attached letter, dated 23 November 2002, from H.E. Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq.

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

(Signed) Kofi A. **Annan**

Annex**Letter dated 23 November 2002 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General**

[Original: Arabic]

Further to my letter dated 13 November 2002, in which I informed you of the decision of the Government of the Republic of Iraq to comply with Security Council resolution 1441 (2002) despite its iniquitous contents, I wish to place on record our observations on the provisions, allegations and measures contained in the resolution that are inconsistent with international law, the Charter of the United Nations, the relevant resolutions of the Security Council and the relevant constitutive instruments of organizations of the United Nations system concerning the inspection and monitoring regime in Iraq.

1. Before reviewing the paragraphs of the resolution, it is essential to refer to the background to the resolution and the circumstances under which it was issued. The United States of America submitted the draft resolution that was adopted on 8 November 2002 as resolution 1441 (2002) after the entire international community had expressed its rejection and condemnation of the desire of the United States to launch a military attack against Iraq in order to attain its openly declared colonial objectives of occupying the country by force and imposing colonial domination over the entire Middle East region.

The United States accordingly changed its tactics and, rather than trying to attain its purposes on its own, took the Security Council as a cover for its colonialist and aggressive objectives, the more so as it had a long history of using the Council as a cover for its hostile intentions against Iraq since 1990. It therefore submitted the draft resolution under the false guise of working through the United Nations, while its real purpose of creating pretexts for aggression against Iraq were concealed under an international cover, as the following review of the paragraphs of the resolution makes clear.

2. The third preambular paragraph referred to what it called “the threat Iraq’s non-compliance with Council resolutions and proliferation of weapons of mass destruction ... poses to international peace and security”. This was an attempt to impose a forced interpretation of the concept of a threat to international peace and security, as referred to in Article 39 of the Charter of the United Nations, in order to justify United States aggression against Iraq.

The starting point of the paragraph is the baseless assumption of “Iraq’s noncompliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles”. That is the basis for a further groundless assumption, namely that Iraq is a threat to international peace and security. This assumption is baseless and unsupported by any evidence; it is Iraq that has been subjected to aggression ever since 1991, and there is not a single nation in the world that shares the biased view of the matter taken by the

United States and the United Kingdom. Whatever is based on a nullity is itself a nullity.

3. The fourth preambular paragraph refers to Security Council resolution 678 (1990) which authorized Member States to use all necessary means to implement resolution 660 (1990) and subsequent resolutions in order to restore international peace and security in the area.

This reference creates the fallacious impression that the authorization to use force in resolution 678 (1990) is still current. However, that authorization ceased to be current, from the legal and practical points of view, when Iraq withdrew from Kuwait towards the end of February 1991, thereby fully implementing resolution 660 (1990). The authorization has also ceased to be legally in force because of the provisions of paragraph 33 of resolution 687 (1991), which declared that “upon official notification by Iraq to the Secretary-General and to the Security Council of its acceptance of the above provisions, a formal ceasefire is effective between Iraq and Kuwait and the Member States cooperating with Kuwait in accordance with resolution 678 (1990)”. The required official notification was provided on behalf of Iraq by the Minister for Foreign Affairs in a letter dated 6 April 1991 addressed to the Secretary-General of the United Nations and to the President of the Security Council. In paragraph 34, which was the final paragraph of resolution 687 (1991), the Security Council affirmed that any measures for the future use of force against Iraq would require further authorization by the Security Council. That paragraph provided as follows: “*Decides* to remain seized of the matter and to take such further steps as may be required for the implementation of the present resolution and to secure peace and security in the region”. It follows that there is no legal basis that can be invoked as authorizing the use of force against Iraq after the formal ceasefire that was declared by the Council and in the absence of any new authorization. There is therefore no legal justification for reopening discussion of resolution 678 (1990), which has been implemented and has been superseded by resolution 687 (1991).

4. The sixth preambular paragraph deplores what it refers to as Iraq’s failure to provide a final and complete disclosure of all aspects of its earlier proscribed programmes.

That paragraph contradicts the facts set forth in official United Nations documents. In paragraph 79 of document S/1997/779, the International Atomic Energy Agency (IAEA) stated: “There are no indications of significant discrepancies between the technically coherent picture that has evolved of Iraq’s past programme and the information contained in Iraq’s FFCD-F [the definitive version of the ‘Full, Final and Complete Declaration’] issued on 7 September 1996”.

In its report issued as document S/1997/301 the Special Commission stated the following: “The accumulated effect of the work that has been accomplished over six years since the ceasefire went into effect, between Iraq

and the Coalition, is such that not much is unknown about Iraq's retained proscribed weapons capabilities".

5. The seventh preambular paragraph alleges that Iraq has not cooperated fully and unconditionally with the weapons inspectors and ultimately ceased all such cooperation.

This paragraph totally distorts the facts concerning Iraq's cooperation: as a consequence of its cooperation with the United Nations Special Commission and IAEA those two bodies concluded their missions with respect to disarmament. The IAEA report of 27 July 1998 (S/1998/694) stated in paragraph 35:

"... there are no indications of Iraq having retained any physical capability for the indigenous production of weapon-usable nuclear material in amounts of any practical significance, nor any indication that Iraq has acquired or produced weapon-usable nuclear material other than the nuclear material verified by IAEA and removed from Iraq in accordance with paragraph 13 of resolution 687 (1991)."

The Special Commission noted in numerous reports that it had completed the main part of its work: its report issued as document S/1995/494 stated in paragraph 29: "in the ballistic missile and chemical weapon areas, the Commission is now confident that it has a good overall picture of the extent of Iraq's past programmes and that the essential elements of its proscribed capabilities have been disposed of."

The former Executive Chairman of the Special Commission, Ambassador Rolf Ekéus, in a statement made on 13 January 1993, affirmed that Iraq had implemented 95 per cent of the obligations imposed on it. Mr. Ekéus reaffirmed that statement in an interview with the Swedish Broadcasting Corporation on 7 September 2002. Furthermore, the report of Ambassador Celso L. N. Amorim to the Security Council (S/1999/356) stated that the remaining disarmament issues could be addressed within a reinforced ongoing monitoring and verification system. In other words, the disarmament phase had in practical terms been concluded.

6. The eighth preambular paragraph deplored the absence, since December 1998, of inspection activities in Iraq and placed responsibility for that on Iraq, considering that it was a reason for the prolongation of the crisis in the region and the suffering of the Iraqi people ... !!!

This paragraph misrepresents the history of events. What caused the withdrawal of the inspectors from Iraq on 15 December 1998, thereby bringing the inspection activities to an end for practical purposes, was the United States of America. On the day after the inspectors' departure, the United States and the United Kingdom carried out a large-scale military attack against Iraq which, among other things, targeted the sites that had been subject to the ongoing monitoring regime and contained the sensors, cameras and their attachments used in the monitoring operations. The Security Council

failed to take any action in the face of this unilateral use of aggressive force against Iraq and has so far failed to assert that country's legitimate rights. Moreover, the United States used the former United Nations Special Commission as an instrument of its hostile policy towards Iraq; it used the activities of the Special Commission to undermine Iraq's national security, to provide cover for aggression against it and to prolong the unjust blockade of its

people. This led ultimately to the loss of the credibility of the Special Commission, its dissolution and the dismissal of its Executive Chairman, Richard Butler. The United Nations has yet to take any action to call to account those who used United Nations bodies for purposes incompatible with international law, the Charter of the United Nations and the relevant resolutions of the Security Council, by spying on Iraq and instigating crises, thereby flagrantly violating Article 100 of the Charter. Iraq has not been compensated for the damage caused to it by the misuse of United Nations bodies to harm it.

7. The ninth preambular paragraph accuses Iraq of terrorism and human rights abuses and of failing to cooperate in respect of missing persons and property. In this connection we wish to place on record the following observations:

(a) The Minister for Foreign Affairs of the Republic of Iraq sent a letter dated 11 June 1991 to the Secretary-General of the United Nations (S/22687) in which he fully explained Iraq's position on that matter. In fact, it was Iraq that had been subjected for over 30 years to terrorism by international and regional forces led by the United States and the United Kingdom, which spurred them on and financed them, just as other peoples and States were subjected, and continue to be subjected, to the terrorism and hostility of those two countries. Iraq has been subjected to constant hostility on a daily basis in the form of terrorism by the United States and the United Kingdom through the imposition of the illegal no-flight zones to the north and south of Iraq. This aggression has also taken the form of the new strategy of the United States of America through its adoption of what is known as preemptive war which violates the purposes and principles of the United Nations and is another form of international terrorism. Moreover, the Security Council is incapable of putting an end to the Zionist terrorism against our heroic Palestinian people and the valiant freedom fighters, to say nothing of the encouragement given by a permanent member of the Security Council to the Zionist entity, enabling it to practise terrorism, assassination and destruction. We are referring to the United States of America and its policy that is detested throughout the world.

(b) As far as Kuwaiti property is concerned, this has been returned to Kuwait by Iraq, ending with the Kuwaiti archive which was handed over by the Iraqi authorities to Kuwait during the period from 19 to 29 October 2002. As for the other allegations, Iraq's treasury is being plundered continuously through what is termed compensation.

(c) Iraq has cooperated fully with the States concerned ascertaining the fate of missing Kuwaiti nationals and nationals of third countries, and it has expressed its full willingness to cooperate directly with Kuwait to resolve this humanitarian issue which involves 1,137 missing Iraqis, 582 missing Kuwaitis and members of other nationalities, and removing this issue from the tendentious politicization perpetrated by the United States administration which is detrimental to both sides. Iraq has been cooperating, and continues to cooperate, with the International Committee of the Red Cross on the grounds that it is a neutral international party, and with the States that have files of missing persons, thereby complying with the obligations specified in the Geneva Convention of 1949.

8. The tenth preambular paragraph indicates that a ceasefire under Security Council resolution 687 (1991) would be based on Iraq's acceptance of the provisions of that resolution.

This clause is premature and ill-intentioned; it should have referred to the fact that Iraq accepted resolution 687 (1991) by means of a letter from the Minister for Foreign Affairs dated 6 April 1991 and has fulfilled its obligations under the resolution. The Security Council, however, has not fulfilled its own corresponding obligations. Similarly, two permanent members of the Security Council have not fulfilled their obligations and, since 1991, have persisted, among other things, in their military aggression against Iraq in the two illegal no-flight zones.

9. The eleventh preambular paragraph states that the Council is determined to ensure Iraq's compliance with resolution 687 (1991).

This negates Iraq's compliance with its obligations under the resolution and ignores the fact that the Security Council has fulfilled none of its corresponding obligations, including the obligations in paragraph 14 to free the Middle East region from weapons of mass destruction and in paragraphs 21 and 22 concerning the lifting of the comprehensive blockade imposed on Iraq which is a collective punishment imposed on an entire people in violation of the principles of the United Nations Charter, the Universal Declaration of Human Rights, as well as of the provisions of the Charter and of the relevant resolutions of the Security Council concerning the need to respect the sovereignty, territorial integrity and political independence of Iraq and to stop the daily aggression by the United States and the United Kingdom against Iraq in the two illegal no-flight zones. This means that the Security Council has given in, either willingly or because it was forced to do so, to the United States tactic whereby, whenever the world called for a discussion of the lifting of the blockade on Iraq and the application of paragraph 14 of Security Council resolution 687 (1991) to the Zionist entity preparatory to making the Middle

East region a zone free from weapons of mass destruction, and the Security Council seemed likely to respond positively, the United States resorted to attack as a means of defence, raising issues that diverted the Security Council from its duties, and confusing public opinion, in an attempt to have the hated

executioner declared guiltless and to cast the great fighter for the humanitarian cause (Iraq) as the accused party.

10. The thirteenth preambular paragraph indicates that the letter dated 16 September 2002 from the Minister for Foreign Affairs of the Republic of Iraq addressed to the Secretary-General is a necessary first step towards rectifying Iraq's continued failure to comply with relevant Security Council resolutions.

The purpose of that paragraph is to contradict the letter from the Secretary-General addressed to the Security Council (S/2002/1034) which regarded Iraq's acceptance of the return of the inspectors as a first step towards a comprehensive solution which would include the lifting of the sanctions and the implementation of other provisions of the relevant Security Council resolutions.

11. In the fourteenth preambular paragraph, the Council takes note of the letter dated 8 October 2002 from Mr. Blix and Mr. El-Baradei and expresses concern at the continued failure of the Government of Iraq to provide confirmation of the arrangements as laid out in that letter.

In fact, Iraq has concluded an agreement with UNMOVIC and IAEA regarding the practical arrangements that are prerequisites for the return of the inspectors, and this agreement was incorporated in the joint press release issued in Vienna on 1 October 2002. Both parties agreed in principle that the inspectors should return to Iraq on 19 October. The letter from Mr. Blix and Mr. El-Baradei contained things that Mr. Blix had not asked for during the meetings in Vienna because such things did not fall within his mandate but must be the subject of agreements with the Secretary-General of the United Nations and decided by the Security Council. Nevertheless, Iraq addressed these points in its two replies to the aforementioned letter, dated 8 and 10 October 2002, in which it affirmed that it was not opposed to the contents of that letter.

12. It must be noted that the preambular paragraphs focus on the imaginary threats to regional and international peace and security allegedly posed by Iraq's supposed weapons of mass destruction, whereas they make no mention whatsoever of the real dangers posed to security in the region and the rest of the world by the considerable arsenal of nuclear, chemical and biological weapons of mass destruction that is in the possession of the Zionist entity, even though the establishment in the Middle East of a zone free from weapons of mass destruction is one of the main objectives of Security Council resolution 687 (1991), as noted in paragraph 14 of that resolution. This paradox is a reflection of the odious policy of double standards which the United States of America imposes on the Council insofar as its positions and resolutions are concerned.

13. In paragraph 1 of resolution 1441 (2002) the Council claims that Iraq has been and remains in breach of its obligations under relevant Council resolutions.

Without offering a shred of evidence, this paragraph dismisses out of hand the cooperation Iraq displayed over eight years to secure the implementation of the Council's resolutions. Yet this cooperation is a clear and established fact, as can be seen from the reports of the former Special Commission and IAEA. The Special Commission, speaking through its Chairman from 1993 onward, stated that it had accomplished 95 per cent of its work. IAEA, meanwhile, has maintained since 1992 and continues to say in its reports that it has completed its disarmament missions and that there are no issues pending in the area of disarmament. One may well ask whether these two bodies could have completed the tasks entrusted to them by Security Council resolution 687 (1991) without Iraq's full cooperation. What does this mean and, further, what does it mean that the Security Council is failing to fulfil its obligations? To Iraq and to other States it means that the Council is in a sorry state and that, because it is bowing to the will of the United States and British Governments, it is pursuing a policy based on expediency and power that is far removed from the spirit of the Charter of the United Nations. The results are the same, regardless of whether Iraq or other States fulfil their obligations: the Zionist entity is exempted from any legal measures so long as it participates, along with the United States of America, in the odious imperialist alliance that seeks to dominate the world. Moreover, it is the United States that has been and remains in violation of Security Council resolutions by using the former Special Commission as a tool for spying on Iraq and fomenting crises, and by undermining Iraq's sovereignty and territorial integrity by joining with the United Kingdom to impose illegal no-flight zones on the country. During the past 11 years the United States and the United Kingdom have continually launched large-scale military attacks on Iraq, undermining its sovereignty and independence and publicly encouraging a number of mercenary terrorists, whom they train, arm and finance to perpetrate terrorist acts on Iraq and its people, thereby contravening the Charter of the United Nations and the relevant resolutions of the Security Council, all of which call for respect for Iraq's sovereignty, political independence and territorial integrity.

14. In paragraph 2 of the resolution the Council decides "to afford Iraq ... a final opportunity to comply with its ... obligations".

This paragraph gives the erroneous impression that the Security Council has begun to take steps against Iraq. In fact the opposite is true. Indeed, when the inspectors left Iraq it was discovered that some of them had been spying on Iraq and its vital national interests while stirring up crises; the final report of the Chairman of the now defunct Special Commission was also used by the United States of America and the United Kingdom to disguise their perfidious attack of 16 December 1998. Yet despite all that, Iraq has been engaging in dialogue with the Secretary-General since February 2000 with a view to reaching a comprehensive settlement that will ensure the balanced and lawful implementation of Security Council resolutions, including the fulfilment by the Council of its own obligations, to Iraq – the lifting of the embargo and the ensuring of respect for Iraq's sovereignty – and to the region – the implementation of paragraph 14 of resolution 687 (1991) – as well as the

restoration of the inspection regime aimed at ensuring that Iraq has eliminated its weapons of mass destruction. On 16 September 2002 Iraq agreed to the inspectors' unconditional return, but it was the United States that prevented their return, exerted all kinds of pressure on the members of the Security Council and haggled with them to ensure that Security Council resolution 1441 (2002) was adopted in order to mislead the international community and public opinion and make them forget the great lie put forward by the United States Government and its vassal in order to provide pretexts and obscure the aggression being carried out in accordance with its plans.

15. In paragraph 3 of the resolution the Council calls upon Iraq to provide to UNMOVIC, IAEA and the Council a currently accurate, full and complete declaration of all aspects of its programmes to develop weapons of mass destruction as well as other chemical, biological and nuclear programmes.

This paragraph is based on the entirely unrealistic assumption that programmes for the development of weapons of mass destruction exist in Iraq. Iraq, however, has vehemently rejected this allegation, and the United States of America and the United Kingdom cannot offer a single piece of credible evidence. The Council further calls for the submission of declarations regarding civilian programmes, without being more specific. It also asks in this paragraph for a model report, even though no precedent exists; this gives Council members another pretext for questioning Iraq's declarations and affords an opportunity to spread untruthful allegations about Iraq's failure to cooperate.

16. Paragraph 4 of the resolution posits a false hypothesis, namely that Iraq might submit declarations containing false statements or omissions, or that it might fail to comply with the resolution. A second false hypothesis is then posited on the basis of the first, namely that such action would constitute a material breach of Security Council resolutions.

The arbitrary judgement made in paragraph 4 is without precedent in national and international legislation at any time in the history of mankind. In the first place, to consider that the supplying of false information (bearing in mind the thousands of pages of information that must be submitted) constitutes "a material breach" makes it perfectly clear that the intent is to find pretexts for distorting Iraq's position and justify military action against that country, and not to attain the objectives set by the Security Council. Secondly, to consider omissions from the statements submitted as "a material breach" means that Iraq has already been selected as a target, whatever justification may be cited for doing so. Viewing omissions as "a material breach" constitutes an attempt to establish new norms of international law, something the Security Council is not authorized to do under the Charter; moreover, such norms are incompatible with the principles of justice relating to legal procedures.

17. In paragraphs 5 and 6 of the resolution the Security Council unjustifiably

confers on UNMOVIC and IAEA arbitrary powers that are in contradiction with their international status, which requires them to uphold the sovereignty of the countries in which they operate and to respect the laws and rules of those countries as well as the human rights of their population in accordance with the Charter of the United Nations. These measures, which are unprecedented in the history of the United Nations and of international relations and the disarmament and arms-control processes, are actually intended to obstruct the work of the inspectors, sow confrontation, generate a crisis of confidence with Iraq and reopen the door to misuse of inspection activities for purposes that have nothing to do with the objectives set out in the Security Council resolutions.

The processes of disarmament and arms control are familiar, and there are criteria established in international conventions for attaining the goal of disarmament. They in no way provide for such activities as the holding of meetings with citizens of a country in that country without the presence of representatives of their Government, the requesting of citizens to leave their country with their families in order for such meetings to take place in another country, the compiling of the names of all scholars and researchers in the country, the entry into the country of United Nations security guards to ensure the security of the facilities provided to the inspection teams, even though Iraq, in accordance with the law, assumes responsibility for their safety and pays their salaries, or the bringing in and taking out of equipment by inspectors without notifying the State in whose territory they are operating, all at the expense of the State in which the operation is taking place, without any statement of expenditure being submitted and without telling the State, once the mission is over, what has been done with the equipment and vehicles used that are the property of that State.

18. In paragraph 8 of the resolution the Council decides that Iraq shall not take or threaten hostile acts directed against any representative or personnel of the United Nations or of any Member State taking action to uphold any Council resolution.

Here again, the resolution gives a distorted picture of Iraq's cooperation. The members of the former Special Commission and IAEA worked in Iraq for eight years. While some of them engaged in acts of espionage, provocation and troublemaking in contravention of United Nations regulations and the laws of the host country, the Iraqi authorities afforded them full protection, and they did not suffer from any prejudice or harassment. If one considers how numerous they were and how long they stayed in Iraq without ever experiencing any harm, one can conclude that Iraq's past behaviour sets an example for the world, something that cannot be said for the United States, where international civil servants and nationals of other States are subjected to all sorts of affronts, harassment and attacks, and may even be robbed or murdered.

19. In paragraph 10 the Council requests UNMOVIC and IAEA to accept

recommendations from Member States with regard to sites to be inspected, persons to be interviewed, conditions of such interviews, and data to be collected.

All this is designed to undermine cooperation between Iraq and the UNMOVIC and IAEA inspectors and affords certain States a pretext for interfering with their work. It also undermines the international status of these two bodies and makes them subject to the pressures, desires, allegations and intentions of certain States, foremost of which the United States of America, whose objectives serve their own interests. At the same time these provisions do not compel the States providing information to bear the legal, political or financial consequences if the information they furnish is false and is intended to jeopardize or obstruct operations.

20. In paragraph 11 of the resolution the Council directs the two aforementioned bodies to report to it immediately what it labels “any interference” by Iraq with inspection activities, as well as any failure by Iraq to comply with its obligations, including its obligations regarding inspections.

This paragraph does not confer upon either UNMOVIC or IAEA the power requested to assess the state of Iraq’s cooperation but does authorize them to report to the Council immediately any incident whatsoever, be it something minor, a doubt or a misunderstanding. This hardly helps to build trust or address concrete practical problems that may arise in the field, and thus it does not contribute to cooperation or the attainment of the goals set.

The logic of this paragraph also implies absolute good faith on the part of all members of the inspection teams and complete bad faith on the part of the Iraqi authorities, which totally contradicts what the international community knows about the behaviour of many of the inspectors of the ill-famed and now defunct Special Commission, as well as what you yourself said in your statement of 27 June 1999 concerning the actions of its members and the remarks made by the former Chairman of the dissolved Commission, Mr. Ekéus, during an interview with a Swedish radio station on 28 July 2002 (see S/2002/982). Paragraph 11 of the resolution seeks a priori to incite wrongdoing, to create unwarranted crises so that Iraq can be portrayed as failing to cooperate and to provide pretexts for attacking the country.

21. In paragraph 12 of the resolution the Council decides to convene immediately when a situation described in paragraph 11 arises, in order to secure international peace and security.

By considering “any interference by Iraq with inspection activities” to constitute a threat to international peace and security, the Council is attempting to provide a broad new interpretation of international peace and security. This runs counter to the principles set out in Article 39 of the Charter of the United Nations, particularly when two permanent members of the Security Council are engaged daily in waging outright military aggression against Iraq, violating its sovereignty and its territorial integrity, bombing its towns and villages, without the Security Council deciding that such acts

constitute a threat to international peace and security. A host of serious violations of international peace and security are committed in various parts of the world, including the ongoing Zionist aggression against the Arab territories and the possession by the Zionist entity of weapons of mass destruction.

22. Lastly, the Council, before ending the resolution as it began it, recalls in paragraph 13 that it has repeatedly warned Iraq, distorting reality and threatening Iraq with war and aggression.

The above-mentioned facts show that those who pushed the Security Council to adopt resolution 1441 (2002) are aiming at objectives other than ensuring that Iraq has not produced weapons of mass destruction. In spite of this, and even though the resolution contains bad provisions, we have decided to cooperate in implementing this resolution in order to spare our people, the region and the rest of the world from the unleashing of evil and aggression advocated by the extremists in the United States Government, and to give the United Nations an opportunity to implement its resolutions in accordance with international law and the Charter. It is our hope that the Secretariat and peace-loving States, especially those that are permanent and non-permanent members of the Security Council, will urge UNMOVIC and IAEA to compel their inspectors to respect their obligations under the Charter of the United Nations and their mandate while endeavouring to realize the purposes of the United Nations; this will quickly show how inane are the tendentious accusations levelled by the United States of America against Iraq to the effect that Iraq possess weapons of mass destruction, and it will allow the United Nations to discharge its obligations under these resolutions in respect of Iraq and the region in general by lifting the iniquitous embargo, by respecting the sovereignty, security, territorial integrity and vital national interests of Iraq, and by creating a zone free from weapons of mass destruction in the Middle East, chiefly through the elimination of the vast arsenal of nuclear, chemical and biological weapons in the hands of the Zionist entity.

Accept, Sir, the assurances of my highest consideration.

(Signed) Naji Sabri
Minister for Foreign Affairs of the Republic of Iraq

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1443 (2002)
25 November 2002

Resolution 1443 (2002)

**Adopted by the Security Council at its 4650th meeting, on
25 November 2002**

The Security Council,

Recalling its previous relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001, 360 (2001) of 3 July 2001, 1382 (2001) of 29 November 2001 and 1409 (2002) of 14 May 2002, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of these resolutions,

Taking note of the Secretary-General's report S/2002/1239 of 12 November 2002,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the provisions of resolution 1409 (2002) until 4 December 2002;

2. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1447 (2002)
4 December 2002

RESOLUTION 1447 (2002)

**Adopted by the Security Council at its 4656th meeting,
on 4 December 2002**

The Security Council,

Recalling its previous relevant resolutions, including resolutions 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001, 1360 (2001) of 3 July 2001, 1382 (2001) of 29 November 2001 and 1409 (2002) of 14 May 2002, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990 in accordance with the provisions of these resolutions,

Taking note of the Secretary-General's report S/2002/1239 of 12 November 2002,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, and the provisions of paragraphs 2, 3 and 6 to 13 of resolution 1360 (2001) and subject to paragraph 15 of resolution 1284 (1999) and the other provisions of this present resolution, shall remain in force for a new period of 180 days beginning at 0001 hours, Eastern Standard Time, on 5 December 2002;

2. *Decides* to consider necessary adjustments to the Goods Review List

(S/2002/515) and the procedures for its implementation, for adoption no later than 30 days from the adoption of this resolution and thereafter to conduct regular, thorough reviews;

3. *Decides* that, for the purposes of this resolution, references in resolution 1360 (2001) to the 150-day period established by that resolution shall be interpreted to refer to the 180-day period established pursuant to paragraph 1 above;

4. *Requests* the Secretary-General to provide a comprehensive report to the Council, at least one week prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs;

5. *Requests* the Secretary-General, in consultation with interested parties, to submit an assessment report on the implementation of the Goods Review List and its procedures 14 days before the end of the 180-day period referred to in paragraph 1 above and to include in the report recommendations on any necessary revision of the Goods Review List and its procedures;

6. *Decides* to remain seized of the matter.

**United Nations
Security Council**

Distr.
GENERAL
S/RES/1454 (2002)
30 December 2002

RESOLUTION 1454 (2002)

**Adopted by the Security Council at its 4683rd meeting,
on 30 December 2002**

The Security Council,

Recalling its previous relevant resolutions, including resolution 661 (1990) of 6 August 1990, 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1352 (2001) of 1 June 2001, 1360 (2001) of 3 July 2001, 1382 (2001) of 29 November 2001, 1409 (2002) of 14 May 2002, and in particular, 1447 (2002) of 4 December 2002,

Convinced of the need as a temporary measure to continue to provide for the civilian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolutions 687 (1991) of 3 April 1991 and 1284 (1999), allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990), in accordance with the provisions of these resolutions,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Recalling its decision in resolution 1447 (2002) to extend the programme originated by resolution 986 (1995) for 180 days commencing at 0001 hours, Eastern Standard Time, on 5 December 2002 and consider necessary adjustments to the Goods Review List (S/2002/515) and the procedures for its implementation for adoption no later than 3 January 2003 and thereafter to conduct regular, thorough reviews of both,

Reiterating its determination to improve the humanitarian situation in Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves*, for implementation beginning at 0001 hours, Eastern Standard Time, on 31 December 2002, the adjustments to the Goods Review List specified in Annex A to this resolution and the revised procedures for implementation of the Goods Review List set forth in Annex B to this resolution, as a basis

for the humanitarian programme in Iraq as referred to in resolution 986 (1995) and other relevant resolutions;

2. *Decides* to conduct a thorough review of the Goods Review List and the procedures for its implementation both 90 days after commencement of the period as defined in paragraph 1 of resolution 1447 (2002) and prior to the end of the 180-day period so defined and thereafter to conduct regular, thorough reviews, and, in this connection, requests the Committee established by resolution 661 (1990) to review the Goods Review List and the procedures for its implementation as part of its regular agenda and recommend to the Security Council necessary additions to, and/or deletions from, the Goods Review List and procedures;

3. *Directs* the Secretary-General, within sixty days, to develop consumption rates and use levels for the implementation of paragraph 20 of Annex B of this resolution;

4. *Appeals* to all States to continue to cooperate in the timely submission of technically complete applications and the expeditious issuing of export licences and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi population as rapidly as possible;

5. *Decides* to remain seized of the matter.

Annex A**Textual entries for the proposed item changes to the Goods Review List***Chemical Section:*

(1) C.1.0.4.1.0: Quantities of Atropine in doses greater than 0.6 mg/ml, Pralidoxime, Pyridostigmine and their respective salts, medical solutions of Sodium Nitrite, Sodium Thiosulfate that exceed the established consumption rates.

(2) A.52: Any inorganic phosphide that exceeds established consumption rates.

Note: Quantities of phosphides utilized with food grain shipments do not require review provided the amounts do not exceed 20 g of phosphide per metric tonne of grain.

(3) A.02, A.06, A.07, A.08, B.01, B.02, B.03, B.08, B.10, B.11, B.12: Remove n=1-3 restriction on various chemical entries.

Note: For List B chemicals:

Where n=1-3, the chemical shall be considered prohibited. Where n>3, the chemical will be referred for review

(4) 1.A.4.d: Quantities of activated carbon, that have been tested and certified effective for chemical weapons agent absorption, that exceed the established consumption rates.

(5) A.53: Quantities of organophosphate pesticides that exceed established consumption rates.

(6) C.10.4.6: Equipment designed for the disposal of toxic chemicals as follows:

(a) Incineration equipment with an average combustion chamber temperature of over 1,273 K (1,000 C) or catalytic incineration equipment with an average combustion chamber temperature of over 623 K (350 C);

(b) Equipment utilizing disposal technologies other than incineration equipment in (a) to detoxify toxic chemicals including but not limited to liquid neutralization, gas phase chemical reduction, supercritical water oxidation, direct chemical oxidation, solvated electron, and plasma arc processes.

b.1. Liquid neutralization equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.100 m³ (100 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.2. Gas phase chemical reduction equipment, and specially designed waste supply and material handling systems, with continuous flow capacities

for the disposal of toxic chemicals of 0.05 m³/hr (50 litres/hour) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.3. Supercritical water oxidation equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.05 m³ (50 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.4. Direct chemical oxidation equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.100 m³ (100 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.5. Solvated electron equipment, and specially designed waste supply and material handling systems, with reactor volumes of 0.100 m³ (100 litres) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

b.6. Plasma arc equipment, and specially designed waste supply and material handling systems, with continuous flow capacities for the disposal of toxic chemicals of 0.05 m³/hour (50 litres/hour) or greater, in which all surfaces that come into direct contact with the toxic chemicals are made from corrosion resistant materials.

(7) Entry (vii) and (viii) on list of materials encompassed by the term “corrosion resistant”: (vii) nickel or alloys with more than 40 +/- 2 percent nickel by weight (some examples: Alloy 400, AMS 4675, ASME SB 164-B, ASTM B-127, DIN2.4375, EN60, FM60, IN60, Hastelloy, Monel, K500, UNS NO4400, Inconel 600, Colmonoy Nr.6); (viii) alloys with more than 25 +/- 2 percent nickel and 20 +/- 2 percent chromium and/or copper by weight (some examples: Alloy 825, Cunifer 30Cr, EniCu-7, IN 732 X, Inconel 800, Monel 67, Monel WE 187, Nicrofer 3033, UNS C71900, 904L, and CP40).

(8) C.10.4.11: Quantities of autoinjectors that exceed the established consumption rate.

(9) C.10.4.2: Corrosion resistant multiple-seal, canned drive, magnetic drive, bellows or diaphragm pumps, or progressive cavity tubing pumps (including peristaltic or roller pumps in which only the elastometric tubing is corrosion resistant) with manufacturer’s specified maximum flow rate of 0.01 m³ per minute or greater under standard temperature (293 K) and standard pressure (101.30 kPa) conditions.

Corrosion resistant vacuum pumps with manufacturer’s specified maximum flow rate greater than 0.08 m³ per

minute under standard temperature (293 K) and pressure (101.30 kP) conditions and the following components:

Impellers
Casings

(10) C.10.4.4: Corrosion resistant valves with a smallest inner diameter of 12.5 mm or more and the following components:

Valve wetted parts

Biological Section:

(1) 12: Quantities of Ciprofloxacin, Doxycycline, Gentamycin, Streptomycin that exceed the established consumption rates.

(2) 2.5: Sterilizing equipment designed to sterilize infectious material, with an internal volume equal to 1.0 m³ or greater and the following components:

Doors
Door Seals

(3) 3.3: Orbital or reciprocal shakers with a total flask capacity greater than 25 litres, designed for use with biological material.

Shaking incubators with a total flask capacity greater than 25 litres, designed for use with biological material.

(4) 5: Quantities of formulated powdered growth media or cell culture media that exceed the established humanitarian use levels.

Quantities of formulated concentrated liquid growth media or cell culture media that exceed the established consumption rates.

Microbial grade yeast extract.

Cell culture grade fetal bovine serum.

(5) 4.1: Centrifugal separators (or decantors) designed for use with biological material capable of continuous operation at a flow rate of 20 litres per hour or greater and specially designed rotors therefor.

(6) 4.2: Batch centrifuges with a rotor capacity of 10 litres or greater, designed for use with biological agents.

(7) 11: Equipment for the microencapsulation of live microorganisms and toxins in the range of 1-15 micron particle size, to include interfacial polycondensors and phase separators, and materials such as lactic acid-glycolic acid copolymer, polyethylene glycol 6000, liposome materials such as phosphatidyl choline and hydrogels such as polyvinylalcohol and polyhydroxyethylmethacrylate, and agarose gel microspheres.

(8) 14: Filter presses and drum dryers capable of use with biological material.

(9) 13: Materials such as ion-exchange resins, gel filtration resins for column chromatography, and affinity chromatography resins used for the separation or purification of toxins.

(10) 1.2.14: Hantaviruses; 1.2.53: Lumpy Skin Disease virus.

(11) 7.2: Aerosol disseminators (other than aircraft sprayers or foggers), capable of dispersing aerosols with an ultimate mean size of 15 microns or less at a flow rate exceeding 1 litre of liquid suspension per minute or 10 grams of dry material per minute and the following components:

Spray tanks

Certified pumps Spray nozzles

Note: This entry excludes dry powder fire extinguishers.

Missile Section:

(1) 2.1: Rocket motor cases and production equipment therefor including interior lining, insulation and nozzles, and the technology, the production facilities and production equipment therefor to include computer controlled welding machines, non-destructive testing (NDT) equipment capable of using ultrasonic or X-ray to inspect motor case/engine welds; engines, including devices to regulate combustion, and components therefor.

(2) 8.3.1.2: Theodolites with an accuracy of 15 arc seconds or greater accuracy.

(3) 4.2.3: (a) Fluid energy mills usable for grinding or milling ammonium perchlorate, RDX or HMX and ammonium perchlorate hammer and pin mills and the following components:

Casings

Hammer/Anvils

(b) Equipment capable of sizing the resulting particles to below 400 microns.

(4) 5.2, 5.3.1.a and 5.4.a: Modify missile entries to delete the phrase “designed for use in inertial navigation systems or in guidance systems of all types”.

(5) 9.1.3: Test benches/stands capable of handling solid or liquid propellant rockets or rocket motors of more than 10 kN (2,248 lbs) of thrust, or capable of measuring one or more of the three axial thrust components along with spare parts, equipment and associated components (e.g. load cells, test sensors).

9.1.3.1: Load cells capable of measuring 8 kN (2,000 lbs) or greater.

9.1.3.2: Pressure transducers capable of measuring 2750 kPa (400 psi) or greater.

Conventional Section:

- (1) 7.B.4: Global Navigation Satellite System (GNSS) jammers, GNSS-band signal generators, GNSS waveform/code simulators or GNSS receiver test equipment.
- (2) 9.A.13.a: Low-bed trailers/loaders (height of 1.2 m or less) with a payload capacity of 20 MT or greater; bed width of 2.0 metres or more, including those vehicles with any extenders fully deployed; kingpin of 2.5 inches or greater; 3 or more axles; and tyre size of 1,200 x 20 or greater. Tractor or cab may or may not be attached.
- (3) 5.A.1.b.7: b. Telecommunications transmission equipment and systems, and specially designed components and accessories therefor, having any of the following characteristics, functions or features:
 - 7. Being radio equipment employing “time modulated ultra-wideband” techniques, having user programmable channelizing or scrambling codes.
- 5.A.2.a.: Systems, equipment, application specific “electronic assemblies”, modules and integrated circuits for information security, as follows, and other specially designed computer components therefor:
 - 5.A.2.a.9: Designed or modified to use cryptographic techniques to generate channelizing or scrambling codes for “time modulated ultra-wideband” systems.
- (4) 7.A.3: Inertial Navigation Systems and inertial equipment and components designed therefor:
 - a. Inertial navigation systems (gimballed or strapdown) and in inertial equipment designed for “aircraft”, land vehicle or “spacecraft” for attitude, guidance or control, having any of the following characteristics, and components designed therefor:
 - a.1. (Renumbering of current GRL entry 7.A.3.a.)
 - a.2. (Renumbering of current GRL entry 7.A.3.b.)
 - b. Hybrid Inertial Navigation Systems embedded with Global Navigation Satellite System(s) (GNSS) or with “Data-based referenced Navigation” (“DBRN”) System(s) for attitude, guidance or control, subsequent to normal alignment, having an INS navigation position accuracy, after loss of GNSS or “DBRN” for a period of up to 4 minutes, of less (better) than 10 metres Circular Error Probable (CEP).
- (5) 5.A.1.b.8: Radio Intercept/Direction Finding (DF) Equipment/Systems.
- (6) 5.A.1.b.7: Being broadcast transmitter (e.g. for radio or television) equipment operating in the .5-500 MHz (MF to UHF broadcast bands) with output power levels above 1 kW (Root-Mean-Square (RMS)).

(7) 1.A.6: Carbon Nanotube Materials; I.B.4: Scanning Probe Microscope equipment or systems; I.E.3: Carbon Nanotube Technology.

(8) 7.A.8: Full-Motion Flight Simulators/Training Systems for civilian transport aircraft.

(9) 9.A.13.b and c: Trucks with any military attributes (e.g., armour plating, electromagnetic pulse hardened, independent steering, Global Navigation Satellite Systems (GNSS), Global Navigation Satellite System Jammers and/or Night Vision Systems) or trucks with any of the following attributes: all-wheel drive capability, payload of 20 tons or greater, reinforced chassis, 370 or more engine horsepower, central tyre inflation, run flat capability and/or semi-pneumatic tyres, or independent levelling/stabilization. Truck chassis equipped with hydraulic lift systems over 8 tonnes or capable of attachments such as hoists, cranes, drills, and oil well workover capabilities would be covered as items for review.

(9) A.13.c: Tyres with equal to or greater than 16 ply rating or 10.00 x 20 tyres with non-directional, cross-country (NDCC) tread.

(9) B.11: Moulds designed for the production of the tyres identified in 9.A.13.c.

(10) 3.E.3.g: Other “technology” for the “development” or “production” of:

g. Electronic vacuum tubes operating at frequencies of 31 GHz or higher.

(11) 8.A.1.j: Fast/Workboats, of any construction, with length overall (LOA) in excess of 15 metres capable of speed in excess of 20 knots when laden with rated payload in excess of 1.5 tons or,

Fast/Workboats, of any construction, with length overall (LOA) in excess of 15 metres capable of speed in excess of 20 knots and equipped with corrosion-resistant firefighting water pumps and corrosion resistant nozzles, or

Fast/Workboats, of any construction, with length overall (LOA) in excess of 15 metres capable of speed in excess of 20 knots and equipped with or capable of being equipped with (defined as free or reinforced deck space equal to or greater than 2 metres square or 4 square metres) a crane or cranes with load capacity of one or more metric tons.

(12) 6.A.8: RADAR: ... *Note:* ... 6.A.8 does not require review of: ... d. Meteorological (weather) Radar.

Delete sub-item “d” from the above-referenced exclusion note.

6.A.8.a: All airborne radar equipment and specially designed components therefor, not including radars specially designed for meteorological use ...”.

Delete "... radars specially designed for meteorological use ...".

Note: 6.A.8.k does not require review of LIDAR equipment specially designed for surveying or meteorological observation.

Delete "... or meteorological observation".

6.A.9: Equipment or systems, and components designed or adapted therefor, for meteorological observation, modelling and simulation, and/or forecasting.

6.B.9: Test, inspection, and "production" equipment for equipment, systems, and components adapted therefor, for which review is required under 6.A.9.

6.D.4 "Software" for meteorological use.

6.D.4.a: "Software" for the "development", "production", or "use" of equipment or systems requiring review under 6.A.9 or 6.B.9.

6.D.4.b: "Software" designed or adapted for meteorological modelling or simulation.

6.E.4: "Technology" according to the General Technology Note for the "use" of items for which review is required by 6.A.9, 6.B.9 or 6.D.4.

Annex B**Goods Review List procedures**

1. The following procedures replace paragraphs 29 to 34 of document S/1996/636* and other existing procedures, notably for the implementation of the relevant provisions of paragraphs 17, 18, and 25 of resolution 1284 (1999) related to the processing of applications to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995).
2. Each application (the “Notification or Request to Ship Goods to Iraq,” as attached to these procedures, hereafter referred to as “the application,”) for the sale or supply of commodities or products to include services ancillary to the supply of such commodities and products, to Iraq to be financed from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) must be forwarded to the Office of the Iraq Programme (OIP) by the exporting States through permanent or observer missions, or by United Nations agencies and programmes. Each application should include complete technical specifications, as requested in the standard application form, concluded arrangements (e.g., contracts), and other relevant information, including, if known, whether the application contains any item(s) covered by the Goods Review List (GRL), in order for a determination to be made on whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL.
3. Each application will be reviewed and registered by OIP within ten working days. In the case of a technically incomplete application, OIP may request additional information before transmitting the application to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA). If OIP determines that the requested information is not provided within 90 days, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not received within a further 90 days, the application will lapse. OIP should notify the submitting mission or United Nations agency in writing of any change in the status of the application. The OIP will identify an official to act as a contact point on each application.
4. After OIP registration of the application, each application will be evaluated by technical experts from UNMOVIC and IAEA in order to determine whether the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL (GRL item(s)). At their discretion and subject to the approval

of the 661 Committee, UNMOVIC and IAEA may issue guidance regarding what categories of applications do not contain any item(s) covered by paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, or military-related commodities or products covered by the GRL. UNMOVIC, IAEA and OIP, working in consultation, may develop a procedure whereby OIP may evaluate and approve applications that, based on this guidance, fall within these categories.

UNMOVIC and IAEA should put into their records the information about the applications mentioned in subparagraphs a, b, c and d below, without prejudice to the review of these applications under the current procedures, and this information should be subject to review, together with the reviews of the GRL and its procedures as set forth in paragraph 2 of this resolution, when:

(a) An application contains information about an item reviewed by UNMOVIC and IAEA that can be applied to weapons of mass destruction or missiles systems, or increase conventional military capabilities; or,

(b) The technical review of an application by UNMOVIC and IAEA yields ambiguity as to whether the technical specifications of any item included in such application are items covered by the GRL; or,

(c) The technical evaluation of any application conducted by UNMOVIC or IAEA determines that the amount of any item included in an application exceeds requirements typically associated with the civilian end use and the item is deemed to have potential military applications;

(d) The 661 Committee may request that Iraq explain the apparent stockpiling of an item through its purchases, and may request that OIP conduct an independent investigation.

In general, when experience under resolution 1409 (2002) and this resolution indicates to OIP, UNMOVIC, and the IAEA a need for adjustment of the Goods Review List and its procedures with a view to facilitating the flow of humanitarian goods to Iraq, then OIP, UNMOVIC, and the IAEA shall recommend appropriate adjustments for consideration by the Council in the context of regular reviews of the Goods Review List and its procedures.

5. Military goods and services are prohibited for sale or supply to Iraq under paragraph 24 of resolution 687 (1991) and are not subject to review under the GRL. For consideration of dual-use goods and services referred to in paragraph 24 of resolution 687 (1991), UNMOVIC and IAEA should process these goods and services pursuant to paragraph 9 of these procedures.

6. Upon receipt of a registered application from OIP, UNMOVIC and/or IAEA will have ten working days to

evaluate an application as set forth in paragraphs 4 and 5. Absent action by UNMOVIC and/or IAEA within the ten working day period, the application will be considered approved. In the course of conducting the technical evaluation as set out in paragraphs 4 and 5 above, UNMOVIC and/or IAEA may request additional information from the submitting missions or United Nations agency. The submitting mission or United Nations agency should provide the additional information requested within a period of 90 days. Once UNMOVIC and/or IAEA receive the requested information, UNMOVIC and/or IAEA will have ten working days to evaluate the application under the procedure set forth in paragraphs 4 and 5.

7. If UNMOVIC and/or IAEA determine that the submitting mission or United Nations agency has not provided the requested additional information within the 90-day period set out in paragraph 6 above, the application will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will lapse. OIP should notify the submitting mission or United Nations agency in writing of any change in the status of the application.

8. If UNMOVIC and/or the IAEA determine that the application contains any item referred to in paragraph 24 of resolution 687 (1991) as it relates to military commodities and products, the application shall be considered ineligible for approval for the sale or supply to Iraq. UNMOVIC and/or IAEA will provide to the submitting mission or United Nations agency through OIP a written explanation of this determination.

9. If UNMOVIC and/or IAEA determine that the application contains any GRL item(s), they will immediately inform through OIP the submitting mission or United Nations agency. Pursuant to paragraph 11 below, absent a request by the submitting mission or United Nations agency for reconsideration within ten working days, OIP will forward the application containing the GRL item(s) to the 661 Committee for the purpose of evaluating whether the GRL item(s) may be sold or supplied to Iraq. UNMOVIC and/or IAEA will provide to the 661 Committee through OIP a written explanation of this determination. In addition, OIP, UNMOVIC and/or IAEA, at the request of the submitting mission or United Nations agency, will provide to the 661 Committee a complete and thorough assessment of the humanitarian, economic and security implications, of the approval or denial of the GRL item(s), including the viability of the whole contract in which the GRL item(s) appears and the risk of diversion of the item(s) for military purposes. The assessment provided by OIP to the 661 Committee should be transmitted in parallel by OIP to the submitting mission or United Nations agency. OIP will immediately inform appropriate United Nations agents of the finding of a GRL item(s)

in the application and that the GRL item(s) may not be sold or supplied to Iraq unless otherwise notified by OIP that the procedures set forth in paragraphs 11 or 12 have resulted in approval for sale or supply of the GRL item to Iraq. The remaining items in the application, which are determined as not covered by the GRL, will be considered approved for sale or supply to Iraq and, at the discretion of the submitting mission or United Nations agency, and with the consent of the contracting parties, will be processed according to the procedure in paragraph 10 below. The relevant approval letter may be issued for such approved items under request from the submitting mission or United Nations agency.

10. If UNMOVIC and/or IAEA determine that the application does not contain any item referred to in paragraph 4 above, OIP will inform immediately the Government of Iraq and the submitting mission or United Nations agency in written form. The exporter will be eligible for payment from the escrow account established pursuant to paragraph 7 of resolution 986 (1995) upon verification by United Nations agents that the items in the application have arrived in Iraq as contracted. OIP and the United Nations Treasury will inform the banks within five working days that the items in the application have arrived in Iraq.

11. If the mission or United Nations agency submitting an application disagrees with the determination that an application contains an item(s) covered by paragraph 24 of resolution 687 as it relates to military commodities and products, or military-related commodities or products covered by the GRL, it may request a reconsideration of this decision, based on the provision of technical information and/or explanations not previously included in the application, within ten working days to OIP. In that event, UNMOVIC and/or IAEA, will appoint experts to reconsider the item(s) in accordance with the procedures set out in paragraphs 4 to 6 above. The decision of UNMOVIC and/or IAEA will be final and no further reconsideration will be permitted. UNMOVIC and/or IAEA will provide to the 661 Committee through OIP a written explanation of the final decision of the reconsideration process. Applications shall not be forwarded to the 661 Committee until the reconsideration period has expired without a request being filed.

12. Upon receipt of an application pursuant to paragraphs 9 or 11 above, the 661 Committee will have 10 working days to determine under existing procedures whether the item(s) may be sold or supplied to Iraq. The Committee may take a decision on an item(s) according to the following options: (a) Approval; (b) Approval subject to conditions as stipulated by the 661 Committee; (c) Denial; (d) Request for additional information. Absent action by the Committee within the 10 working day period, the application will be considered approved. A Committee member may request additional information. If the additional

information is not provided in the 90-day period, the item(s) will be considered supplier-inactive and no further action on the application will be taken until the information is provided. If the requested information is not provided within a further 90 days, the application will be considered lapsed. OIP should notify the submitting mission or United Nations agency in writing of any change in the status of the application. The 661 Committee will have 20 working days to evaluate the requested additional information once provided by the submitting mission or United Nations agency. Absent action by the Committee during the 20 working day period, the item will be considered approved.

13. Where the 661 Committee does not approve an item(s) for sale or supply to Iraq, the Committee will notify the submitting mission or United Nations agency with an explanation through OIP accordingly. The submitting mission or United Nations agency will have 30 working days to petition OIP to have the 661 Committee reconsider its decision based on new information not previously included in the application as reviewed by the 661 Committee. A decision by the 661 Committee on a petition received during this period shall be made within five working days and shall be considered final. Absent such a petition within 30 working days, the item will be considered ineligible for sale or supply to Iraq and OIP will notify the submitting mission or United Nations agency accordingly.

14. If an item(s) is found ineligible for sale or supply to Iraq or if an application is considered lapsed, the supplier may submit a new application based on either a new or an amended contract or donation documentation, and the new application will be evaluated under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

15. If an item(s) is substituted for an item(s) that is either found ineligible for sale or supply to Iraq or is considered lapsed, the new item(s) will be submitted as a new application under the procedures enumerated in this document and will append the original application (for information purposes only and to facilitate review).

16. Experts from OIP, UNMOVIC and IAEA who evaluate applications should be drawn from the broadest possible geographical base.

17. The United Nations Secretariat will report to the 661 Committee at the end of each phase on the status of all applications submitted during this period, including contracts recirculated pursuant to paragraph 18 below. The Secretariat will provide to members of the 661 Committee, at their request, copies of applications approved by OIP, UNMOVIC, and IAEA, within three working days after their approval, for information purposes only.

18. Notwithstanding provisions of paragraph 17 above, all technical information transmitted to OIP, UNMOVIC and/or IAEA by the submitting missions or United Nations agency in accordance with these procedures is totally confidential.

19. OIP will divide contracts currently on hold into two categories: category A and category B. Category A will contain contracts on hold that have been designated by UNMOVIC as containing item(s) on one or more of the United Nations Security Council resolution 1051 lists. Category A will also contain contracts that were both processed before the Security Council adopted United Nations Security Council resolution 1284 and assessed by one or more members of the 661 Committee as containing item(s) on one or more of the United Nations Security Council resolution 1051 lists. OIP will consider contracts in category A to be "returned to the submitting mission or United Nations agency" and will notify the submitting mission or United Nations agency accordingly, including national comments if possible. The submitting mission or United Nations agency may submit a contract in category A as a new application under the GRL procedures. In category B will be all other contracts currently on hold. Contracts in category B will be recirculated by OIP under the GRL procedures. OIP will append the original committee registration number and national comments, for information purposes only, to any recirculated contracts. OIP should start this recirculation procedure within 60 days of adoption of this resolution and should complete the recirculation process within 60 days thereafter.

20. OIP shall approve humanitarian consumption rates and use levels for each chemical and medication specified in items 1, 2, 4, 5 and 8, Chemical Section and item 1 and 4, Biological Section of Annex A to the resolution. In establishing consumption rates, OIP shall be guided by information of typical civilian utilization of each item specified as appropriate for different periods of the year. OIP shall be guided further by the Council's central objective to facilitate and expedite the flow of medicines and medicinal chemicals for the benefit of the Iraqi people while providing the Council an opportunity to prevent stockpiling of such items to support military and weapons of mass destruction/missile applications. Proposed purchases by Iraq of these items that do not exceed the consumption rates established for each item shall be approved by the Secretariat; proposed purchases of these items that exceed the established consumption rates shall be referred to the 661 Committee for review consistent with these procedures. OIP shall process applications for these materials in the interim 60-day period prior to the implementation of this paragraph under the procedures established pursuant to resolution 1409 (2002).

December 2002 - REVISED FORM

**SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990)
CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT
NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ**

For further guidance regarding completion of application please consult OIP website (www.un.org/Depts/oip)

(TO BE COMPLETED BY THE UN SECRETARIAT)

COMM. No.	REGISTRATION DATE	DATE RECEIVED BY UNMOVIC (if applicable, for 986) DEADLINE DATE (for 661)	DATE SENT TO THE COMMITTEE (if applicable)
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(TO BE COMPLETED BY PROSPECTIVE EXPORTING COUNTRY or INTERNATIONAL ORGANIZATION)

1. MISSION OR INTERNATIONAL ORGANIZATION	2. CERTIFYING SIGNATURE AND OFFICIAL SEAL		
3. DATE OF SUBMISSION	4. MISSION REFERENCE No.		
5. GOODS TO BE SHIPPED (General description of the goods).	6. NUMBER OF LINE ITEMS ON THE EXCEL FORM ATTACHMENT	7. TOTAL VALUE	8. CURRENCY ISO CODE

9. EXPORTER Name: Address: Country: Phone/Fax/E-mail:	10. ORIGIN of GOODS (if different from applicant State)
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11. RECEIVING COMPANY / ORG Name Address Phone/Fax/E-mail	12. SHIPPING ARRANGEMENTS: Select ONE Point of Entry into Iraq <input type="checkbox"/> Trebil <input type="checkbox"/> Al Waleed <input type="checkbox"/> Zakho <input type="checkbox"/> Umm Qasr <input type="checkbox"/> Ar'ar
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13. END USER entity (if different from receiving company / org.) Name: Address: Phone/Fax/E-mail:	14. END USE Provide details of intended end-use. (attach additional sheets if necessary)
--	--

15. METHOD OF PAYMENT	
<input type="checkbox"/> From the Iraq Account in accordance with SC resolution 986 (1995) In this case, please fill out PAGES 2 and 3 (Relevant documentation including contract(s) must be attached)	<input type="checkbox"/> By other arrangement: Provide as much detail as possible (in this case, disregard Pages 2 and 3)

16. ADDITIONAL INFORMATION: (Attach additional sheet if necessary)

S/RES/1454 (2002)

**IF THIS NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ
IS TO BE PAID FROM THE IRAQ ACCOUNT
IN ACCORDANCE WITH SC RESOLUTION 986 (1995)
PLEASE FILL OUT THESE ADDITIONAL BOXES
(see box 15 on Page 1)**

MISSION REFERENCE No. :

17. IDENTICAL GOODS PREVIOUSLY SUBMITTED:

Indicate whether or not you have previously submitted an application(s) for IDENTICAL goods.

☐ YES ☐ NO ☐ UNABLE TO DETERMINE

If YES provide Comm. number reference(s) with respective item number(s).

18. DETAILED LIST OF GOODS:

Indicate whether or not the scope of supply includes any spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables.

☐ YES ☐ NO

If YES indicate whether or not all components of the spare parts, accessories, sets, kits, tool boxes, tools, equipment, special tools, lots or consumables have been listed as separate line items with the relevant description, quantity and price on the attached Excel form application.

☐ YES ☐ NO (in this case, the document will not be registered by the Secretariat)
19. TECHNICAL INFORMATION:Indicate whether or not the scope of supply includes (separately or as part of larger item) any of the goods and/or technology specified on the OIP web site (www.un.org/Depts/oip)
☐ YES ☐ NO

If YES indicate whether or not the relevant technical specification form for each item has been completed and attached to the application.

☐ YES ☐ NO (in this case, the document will not be registered by the Secretariat)
20. GRL RELATED ITEM(S) AND/OR TECHNOLOGY:Indicate whether or not the scope of supply includes any item included in the Goods Review List (GRL). The GRL may be accessed via the OIP website (www.un.org/Depts/oip).
☐ YES ☐ NO ☐ UNABLE TO DETERMINE

If YES indicate below the line item number and description as in the Excel sheet of these goods considered to be included on the GRL.

Line Item No.	Description	GRL Ref. No.

(attach additional sheets if necessary)

IF THIS NOTIFICATION OR REQUEST TO SHIP GOODS TO IRAQ IS TO BE PAID FROM
THE IRAQ ACCOUNT IN ACCORDANCE WITH SC RESOLUTION 986 (1995) PLEASE FILL
OUT THESE ADDITIONAL BOXES (see box 15 on Page 1)

MISSION REFERENCE No. :

NOTE : Boxes 21 to 24 refer to questions frequently asked by U.N. experts during the review of applications. To avoid processing delays, you are strongly advised to complete the following boxes and, if applicable, provide the relevant information when submitting the application. If these questions do not appear to relate to any of the goods in your application, please select "Not Applicable" box.

<p>21.</p> <p>Are any goods originally designed for military use?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable</p> <p>If YES please attach the relevant information.</p>
<p>22.</p> <p>Are any goods designed or modified to withstand the effects of electromagnetic pulse?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable</p> <p>If YES please attach the relevant information.</p>
<p>23.</p> <p>Are fiber optic cable or optical terminals to be supplied?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable</p> <p>If YES please attach the relevant information.</p>
<p>24.</p> <p>If the goods contain any bearings (as spare parts or as included in the equipment), are the bearings manufacture to a tolerance of ABEC 7 or 9 (or national equivalent).</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable</p> <p>If YES please attach the relevant information.</p>

IMPORTANT NOTICE

The following attachments are compulsory

- 1) Excel form application listing IN DETAIL all goods (including all spare parts, accessories ...) + diskette
- 2) Contract signed by both parties with all attachments, enclosures and annexes
- 3) All relevant documentations and/or technical specifications of the goods (e.g. brochures, pictures, diagrams, chemical composition, material composition, etc.)

For further guidance regarding completion of application please consult OIP website (www.un.org/Depts/olp)

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