



Security Council

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Twenty-second report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1284 (1999), in which the Council requested me to report every six months on the return of all Kuwaiti property, including archives, seized by Iraq. The present report provides an account of the relevant developments since my last report of 8 December 2005 (S/2005/769).

II. Background

2. The Supreme Council of the Gulf Cooperation Council, at its twenty-sixth session held in Abu Dhabi on 18 and 19 December 2005, expressed the hope that the United Nations would continue its efforts towards the conclusion of the issues still unresolved, such as the return of Kuwaiti property and the national archives of the State of Kuwait, which were seized by the former Iraqi regime during its occupation of Kuwait.

III. Recent activities

3. During the reporting period there have been a number of developments with regard to the return of the Kuwaiti property seized in 1990-1991 by the previous Iraqi regime and subsequently found on board the Iraqi Airways Company (IAC) aircraft stationed in Tunisia, namely the spare parts and an engine belonging to the Kuwait Airways Corporation (KAC).

4. On 16 February 2006, I conveyed to the President of the Security Council a letter dated 15 February from the High-level Coordinator, Yuli Vorontsov, in which he informed the Security Council of the situation with regard to the return of the above-mentioned items with a view to facilitating the earliest resolution of the problem.

5. On 5 April 2006, I received a letter dated 27 March from the Minister for Foreign Affairs of Tunisia (S/2006/221, annex) informing me that Zine El Abidine Ben Ali, President of the Republic of Tunisia, had ordered the return of the Kuwaiti engine and replacement parts. These items were available to Kuwait from the date of



the letter. Kuwait had been informed of the decision of Tunisia through a special envoy of the President of Tunisia to the Head of State of Kuwait.

6. In the same letter, the Minister for Foreign Affairs also stated that the return of the Kuwaiti replacement parts and, in particular, one of the engines, left unanswered the question of the return of the aircraft to their owner, Iraq, as well as the payment of the costs arising from their storage and maintenance in Tunisia.

7. Upon the proposal of Ambassador Vorontsov, and with the concurrence of the Governments of Iraq, Kuwait and Tunisia, the Kuwaiti and Iraqi experts travelled to Tunisia on 17 May in order to undertake the operation necessary for the return of the Kuwaiti engine and spare parts. At the request of the Government of Tunisia, a representative of the High-level Coordinator from the Department of Political Affairs accompanied the mission. It was agreed that, with a view to witnessing the signing of transfer documents, the High-level Coordinator would join the experts in Tunisia when the Kuwaiti engine and spare parts were ready to be transported from that country.

8. The operation was carried out according to the schedule worked out at the mission's meeting with Tunisian officials at the Ministry of Foreign Affairs. According to the schedule, the Kuwaiti engine was removed from the wing of the Iraqi 747 aircraft parked at Tozeur International Airport. Together with several small boxes of Kuwaiti spare parts taken from cargo compartments of the Iraqi aircraft, it was then transported to the Tunis seaport. The Kuwaiti spare parts identified at the Tunisian military base of Aweyna also arrived there. All these items were then prepared to be shipped out of Tunisia.

9. The Government of Tunisia provided full assistance and support to the above-mentioned mission from start to finish, allowing access to the airports, aircraft and seaport. No taxes and/or dues were collected on the Kuwaiti items and the tools imported to carry out the removal of the engine. The entire operation was conducted in a positive spirit of cooperation.

10. On 25 May 2006, the representatives of the Government of Iraq and the Government of Kuwait signed a document (see annex), certifying that the property belonging to KAC and located in Tunisia was returned by the Government of Iraq to the Government of Kuwait. The High-level Coordinator witnessed the signing of the handover document. The transfer is considered completed.

11. The signing took place at the Ministry of Foreign Affairs in Tunisia. The High-level Coordinator subsequently had a meeting with the Assistant Secretary of State for American and Asian Affairs. He thanked the President and Government of Tunisia for facilitating the settlement of the issue of the return of Kuwaiti property found in Tunisia. The Assistant Secretary of State expressed the wish that a solution be found, as soon as possible, to resolve the issue of the Iraqi aircraft stationed in the country since 1990.

12. As I reported in December 2005, there is no progress with regard to the return of the Kuwait national archives and related documents. The High-level Coordinator has no information as to their whereabouts or if they have been found at all.

13. In mid-May 2006, the High-level Coordinator wrote to the Permanent Representative of the United States of America to the United Nations requesting the United States, a leading member of the Multinational Force in Iraq, to intensify the search for the archives.

IV. Observations

14. I welcome the return by Iraq to Kuwait of the Kuwaiti property found in Tunisia. Kuwait and KAC have shown determination in pursuing and resolving this issue. I am grateful for the support extended by the Security Council to the High-level Coordinator, who has facilitated the successful outcome. This file is now closed to the satisfaction of Kuwait and in the interest of Iraq.

15. The cooperation of Iraq, whose expert teams twice travelled to Tunisia and worked diligently in field conditions to remove the engine and collect other items, deserves appreciation. A successful settlement of this issue, having removed another vestige of the past, will, in my view, contribute to strengthening neighbourly ties between Kuwait and Iraq. I am thankful to the President and the Government of Tunisia for the goodwill and cooperation in resolving the issue, which has been pending for so long.

16. Against this positive background, the absence of any results in finding the Kuwaiti archives is disappointing. While Iraq remains responsible for their return to Kuwait, I believe that a more concerted effort with a view to discovering the fate of the archives should be made by all who are in a position to assist, especially members of the Multinational Force in Iraq. As it may not be possible to ascertain at this point whether they were destroyed or are still hidden at one or several locations, it is necessary to arrive at a clear idea as to what is needed to assure closure of this chapter.

17. I have asked Ambassador Vorontsov to coordinate the intensification of the search for the Kuwaiti archives and similar documents whose return Kuwait considers essential. I call on all those concerned to look closely at this issue and contribute to bringing about its settlement.

Annex

Property of the State of Kuwait returned by the Government of the Republic of Iraq

Pursuant to paragraph 2 (d) of Security Council resolution 686 (1991), paragraph 15 of Security Council resolution 687 (1991) and paragraph 14 of Security Council resolution 1284 (1999), the Government of Iraq returned to the Government of the State of Kuwait the Kuwaiti property located in Tunisia. The property belonging to the Kuwait Airways Corporation (KAC) consisted of the engine and spare parts and accessories, a list of which is attached (see enclosure). The engine was removed from the wing of Iraqi Airways Company (IAC) aircraft 747 (registration No. YI-AGP) stationed in Tozeur.

The handover took place at the city of Tunis and is considered completed.

The State of Kuwait and KAC undertake to return to the Republic of Iraq and IAC (with delivery to Baghdad) a nose cowl, a tail cone and an aft (rear) exhaust sleeve (designated as items A, B and C in the attached list) if it is found before 15 July 2006 that these items belong to IAC.

For the Government of the State of Kuwait
(Signed) Abdulsattar **Setareh**
Legal Adviser, Kuwait Airways Corporation

For the Government of the Republic of Iraq
(Signed) Saad Mahmoud **Al-Shouk**
Chief Engineer, Iraqi Airways Company

Witnessed by
(Signed) Yuli **Vorontsov**
Ambassador, High-level Coordinator

25 May 2006

Enclosure

List of Kuwaiti spare parts and accessories returned by the Republic of Iraq to the State of Kuwait

May 2006, Tunisia

<i>No.</i>	<i>Designation</i>	<i>Quantity</i>	<i>Part No.</i>	<i>Serial No.</i>
1.	Engine	1	JT9D-7J	P701697
2.	Auxiliary power unit (APU) starter motor	1	519806-2	46-1416
3.	Compass couples	1	2591201-911	78031276
4.	Indicator flight director	1	60B00067-2 (772-5005-001)	OK1114
5.	Digital computer (PADG)	1	60B4046-5 (3757183-5)	81101740
6.	TAS indicator	1	40-309-1	530
7.	Indicator flight director	1	60B00067-2 (772-5005-001)	8L511
8.	SAT indicator	1	40-300-1	548
9.	Panel pressure control	1	60B00025-31	HC70250
10.	Signal conditioner	1	6608M11A	057827S
11.	Control box	1	42-189-7	3802160F
12.	IGN unit	1	968034-1	85323950
13.	Accelerometer	1	3060333	SER-YH48
14.	Card assembly	1	65B47528-10	—
15.	Circuit breaker	1	BACC18Z10R	3160R
16.	Temperature indicator	1	520773	11790902
17.	Circuit breaker	1	10-60806-1025	0878
18.	Electric motor	1	60B00036-11	5772C-D
19.	Antenna coupler	1	777-1328-001	8H1239
20.	Cabin pressure control	1	60B00025-21	GF55192
21.	Computer ground proximity warning system (GPWS)	1	965-0476-070	1390
22.	Circuit breaker	5	6752-311-15	—
23.	Digital display indicator	1	59500000-1	824
24.	Selector radio	1	G-4445	9
25.	ATC transponder	1	G-4005	19
26.	Indicator	1	2067635-5114	7516
27.	Monitor speaker	1	87001	446
28.	Passenger address	1	522-4538-002	6500
29.	Shut-off valve	1	60B00258-4	AY16E1296
30.	Power supply	1	60B40109-02	170
31.	Outflow valve	1	711003-3	142713
32.	Compass system	1	614937-101	68737A

<i>No.</i>	<i>Designation</i>	<i>Quantity</i>	<i>Part No.</i>	<i>Serial No.</i>
33.	Landing gear access	1	65-60211-23	M00435
34.	Control unit	1	42-307-1	111
35.	Control unit (window heat)	1	617154-5	0910-1737
36.	Anilised annunciator	1	65B46133-4	1098
37.	Mode selector unit	1	7883470-011	01-02530
38.	Fire detector (pipe)	1	895397	EL35
39.	Fire detector (pipe)	1	522291G	—
40.	Switch	1	35EN23-4	—
41.	TGTS module	1	69B46123-5	—
42.	Ignator lead	1	705177	05606
43.	Relay	1	D31C	CB35106
44.	Transducer (anti-skid)	1	40-805	03785860
45.	Aural warning device	1	74001-9	028-456
46.	Sensor	1	706790	—
47.	Engine fire detection unit	1	65-60209-7	R000889
48.	Coupler antenna	1	792-6140-001	3337
49.	Axciter ignition	1	10-353875-4	090951
50.	Altimeter indicator	1	JG865C3	03
51.	ADF antenna coupling	1	2070122-0501	6842
52.	Distribution measurement equipment	1	622-2921-002	1982
53.	Fan (vanaxel)	1	6577-1	5111
54.	VAW damper coupler	1	4030952-901	80071223
55.	Hammer	1	—	—
56.	Tube assembly	1	69-43716-5	—
57.	Tube assembly	1	69-43716-15	—
58.	Valve	1	6563	115B
59.	Safety valve	2	10-61209-5	XXP10 P10
60.	Safety valve	1	10-61209-20	1P8/-22/4
61.	Flight system attitude control	1	2593564-911	5010530
62.	Control panel	1	4030949-906	9800753
63.	Reservoir assembly	1	803300-35	R4273B
64.	Isolator	3	1060517-5	B22387 B22293 B22453
65.	Vibration	1	7350010	KG868
66.	Actuator assembly	1	65B82558-7	939
67.	Control antenna coupler	1	777-1329	OH1786
68.	Plug	1	BACC63BN10C5S	—

<i>No.</i>	<i>Designation</i>	<i>Quantity</i>	<i>Part No.</i>	<i>Serial No.</i>
69.	Plug	1	BACC63BN10C5S	—
70.	Plug	1	BACC63BN10C5S	—
71.	Relay	1	BACR13CG2A	106122E
72.	Control ADF	1	787-6366-009	2678
73.	Motor AC	1	515090-4	109-6918
74.	Static invertor	1	398168-1-8	1898
75.	Actuator	1	R1631M1	800817
76.	Wheel assembly	1	Size 49x17.32.	409NY02
77.	Wheel assembly	1	Size 49x17.32.	88308353
78.	Wheel assembly	1	Size 49x17.32.	8701314
79.	Wheel assembly	1	Size 49x17.32.	36W063
80.	Wheel assembly	1	Size 49x17.32.	46W106
Total		87		

	<i>Designation</i>	<i>Quantity</i>	<i>Part No.</i>	<i>Serial No.</i>
A.	Nose cowl	1	65B00722-1	001650
B.	Tail cone	1	65B97800-110	HT#2651-4-9795
C.	Aft exhaust sleeve	1	65BN7950-1	000834