



Security Council

Distr.
GENERAL

S/AC.26/Dec.124 (2001)
19 June 2001

Original: ENGLISH

UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning the arrangement to provide technical assistance to Iraq in respect of environmental claims before the UNCC taken by the Governing Council of the United Nations Compensation Commission at its 107th meeting, held on 19 June 2001 at Geneva

The Governing Council

Decides, in concluding its review of UNCC procedures and pursuant to paragraph 22 of decision 114 (S/AC.26/Dec.114 (2000)), to adopt the conclusions of the Working Group on the provision of technical assistance to Iraq in respect of environmental claims before the UNCC, the text of which is annexed to the present decision.



GE. * 2 0 0 1 0 6 2 4 7 2 *

ENG

Annex

ARRANGEMENT TO PROVIDE TECHNICAL ASSISTANCE TO IRAQ
IN RESPECT OF ENVIRONMENTAL CLAIMS BEFORE THE UNCC

1. The Governing Council decides to establish the following arrangement ("the Arrangement") to provide technical assistance to the Government of the Republic of Iraq ("Iraq") with respect to claims related to environmental damage and depletion of natural resources ("F4 claims") before the UNCC.
2. The aim of the Arrangement is to facilitate the promotion of legitimate interests of Iraq with respect to "F4" claims, which give rise to particular questions due to their complexity and the limited amount of relevant international practice. It is furthermore aimed at assisting the "F4" Panel of Commissioners in the conduct of its tasks, through ensuring the full development of the facts and relevant technical issues, and in obtaining the full range of views including those of Iraq.
3. The technical assistance will be provided through a number of experts, to be selected freely by Iraq and approved by the Executive Secretary of the UNCC to ensure the necessary professional qualifications and experience. The Executive Secretary will regularly inform the Governing Council, and consult it in cases giving rise to particular questions.
4. The role of the experts will be to assist Iraq in preparing
 - (a) responses to article 16 reports,
 - (b) written submissions and oral proceedings before the panel in accordance with article 36 of the Provisional Rules for Claims Procedure ("the Rules"), and
 - (c) any other communication with the UNCC on "F4" claims.
5. Iraq shall define and propose to the Executive Secretary tasks to be carried out by the experts, for approval of the related expenditures. Reasonable expenditures stemming from this Arrangement shall be covered from the UNCC administrative budget.
6. Payments under this Arrangement will be made directly by the UNCC to the experts. This will provide the necessary control mechanism to ensure

that the funds are spent fully in accordance with the purpose of this Arrangement.

7. The total expenditures under this Arrangement are estimated at USD 3 to 5 million and may not exceed USD 5 million. The Governing Council may revise these figures at a later stage in light of new developments, and may decide to increase or decrease them.

8. The Arrangement is strictly limited to "F4" claims. It cannot be construed as a precedent with regard to any other category of claims before the UNCC, and it does not imply or create any changes to the Rules.
