



Security Council

Distr.
GENERAL

S/AC.26/Dec.216 (2004)
11 March 2004

Original: ENGLISH

UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning the second instalment of Palestinian late claims for damages up to USD 100,000
(category “C” claims) taken by the Governing Council of the United Nations Compensation
Commission at its 135th meeting, on 11 March 2004

The Governing Council,

Having received, in accordance with article 37 of the Provisional Rules for Claims Procedure (“the Rules”), the report and recommendations made by the panel of Commissioners concerning the second instalment of Palestinian late claims for damages up to USD 100,000 (category “C” claims), covering 965 claims,¹

1. Approves the recommendations made by the panel of Commissioners,
2. Notes that of the 965 claims covered in the instalment, which claimed a total amount of compensation of USD 53,679,478.65, the panel of Commissioners determined that 406 claims satisfied the threshold eligibility requirement, namely whether the claimants had a full and effective opportunity to file their claims, as set out by the Governing Council, and that 559 claims did not satisfy that requirement,

¹ The text of the report appears in document S/AC.26/2004/3. In conformity with the provisions on confidentiality in the Rules (article 30, paragraph 1, and article 40, paragraph 5), information concerning the amount to be paid to each individual claimant will not be made public, but will be provided to the Palestinian Authority separately.

3. Decides, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the 406 eligible claims covered in the report. The aggregate amount awarded, based on the recommendations contained in paragraphs 41 and 43-46 of the report, is as follows:

<u>Submitting entity</u>	<u>Number of claims recommended for payment</u>	<u>Number of claims not recommended for payment</u>	<u>Number of duplicate claims</u>	<u>Amount of compensation claimed (USD)</u>	<u>Amount of compensation recommended (USD)</u>
Palestinian Authority	390	8	8	19,495,152.43	7,822,582.33

4. Reaffirms that when funds become available payments shall be made in accordance with decision 197 (S/AC.26/Dec.197 (2003)),

5. Recalls that when payments are made in accordance with decision 197, and pursuant to the terms of decision 18 (S/AC.26/Dec.18 (1994)), the Palestinian Authority shall distribute amounts received to the designated claimants in respect of approved awards within six months of receiving payment, and shall, not later than three months after the expiration of this time limit, provide information on such distribution,

6. Notes also that, as referred to in paragraph 48 of the report, the Panel, after conducting the threshold eligibility assessment with respect to a number of category "D" Palestinian late claims, has determined that 91 of these category "D" claims are eligible for inclusion in the late-claims programme, and will be transferred to the category "D" panels of Commissioners for review, and that 208 category "D" claims are ineligible for inclusion in the late claims programme,

7. Requests the Executive Secretary to provide a copy of the report to the Secretary-General, to the Government of the Republic of Iraq and to the Palestinian Authority.
