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UNITED NATIONS  
COMPENSATION COMMISSION  
GOVERNING COUNCIL

Decision concerning part two of the nineteenth instalment of individual claims for damages above USD 100,000 (category “D” claims) taken by the Governing Council of the United Nations Compensation Commission at its 137th meeting, on 2 July 2004

The Governing Council,

Having received, in accordance with article 38 of the Provisional Rules for Claims Procedure (“the Rules”), the report and recommendations made by the “D1” panel of Commissioners concerning part two of the nineteenth instalment of individual claims for damages above USD 100,000 (category “D” claims), covering 387 category “D” claims,<sup>1</sup>

1. Approves the recommendations made by the panel of Commissioners, and, accordingly,
2. Decides, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the claims covered in the report. The aggregate amounts awarded per country, based on the recommendations contained in the annex to the report, are as follows:

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<sup>1/</sup> The text of the report appears in document S/AC.26/2004/6. 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 each respective Government separately.

<u>Country</u>	<u>Number of claims recommended for payment</u>	<u>Number of claims not recommended for payment</u>	<u>Amount of compensation claimed (USD)</u>	<u>Amount of compensation recommended (USD)</u>
Brazil	1	-	327,030.00	10,990.00
Canada	1	1	400,584.64	2,462.13
Egypt	1	3	2,108,288.58	96,997.00
Germany	1	-	1,752,137.00	736,208.63
India	14	3	9,776,111.34	1,300,746.62
Ireland	-	1	331,849,315.07	nil
Jordan	66	14	72,151,698.05	15,854,602.71
Kuwait	164	9	262,771,436.07	132,389,307.61
Lebanon	4	-	3,109,753.23	663,695.91
Pakistan	12	-	4,695,198.44	1,276,979.37
Philippines	2	-	1,073,653.91	177,471.85
Saudi Arabia	2	1	2,190,907.52	38,376.10
Syrian Arab Republic	3	1	1,182,225.00	177,001.32
Turkey	1	-	546,026.00	386,756.50
United Kindom	2	-	1,362,224.79	189,763.52
United States	2	-	1,833,930.00	330,574.98
Yemen	61	15	49,638,141.14	14,465,794.45
<u>Total</u>	337	48	746,768,660.78	168,097,728.70

3. Notes that, as referred to in paragraph four of the report, two claims were withdrawn by claimants in the course of the Panel's review of this instalment,

4. Decides also, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning 30 category "C" claims covered in the report, as referred to in paragraphs 48 to 58 of the report. The aggregate amounts awarded per country, based on the recommendations contained in paragraph 57 of the report, are as follows:

<u>Country</u>	<u>Number of claims recommended for payment</u>	<u>Number of claims not recommended for payment</u>	<u>Amount of compensation claimed (USD)</u>	<u>Amount of compensation recommended (USD)</u>
Egypt	14	6	594,268.09	303,170.39
Germany	1	-	3,249.30	3,249.30
India	4	1	156,670.08	92,222.06

<u>Country</u>	<u>Number of claims recommended for payment</u>	<u>Number of claims not recommended for payment</u>	<u>Amount of compensation claimed (USD)</u>	<u>Amount of compensation recommended (USD)</u>
Kuwait	4	-	222,058.82	213,581.06
<u>Total</u>	23	7	976,246.29	612,222.81

5. Decides further, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the one category “A” claim, in the amount of USD 8,000, and the one category “C” claim, in the amount of USD 58,681.45 submitted by the Government of Lebanon, as referred to in paragraphs 59 to 73 of the report,

6. Reaffirms that when funds become available payments shall be made in accordance with decision 227 (S/AC.26/Dec.227 (2004)), except for the portion of two claims (claim numbers: 3003763 and 3009696) for which payment is suspended in the amount of USD 53,750.79 and USD 49,596.94, respectively. These claims were brought to the attention of the Governing Council by the “D1” panel of Commissioners in paragraphs 15 to 23 of its report and recommendations and relate to previously paid category “C” claims (claim numbers: 1609654 and 1131182, respectively). The Governing Council instructs the secretariat to notify the responsible Governments to consider appropriate action to recover the total amount of USD 131,123.24 (USD 53,750.79 and USD 77,372.45, respectively) from the category “C” claimants and return it to the Compensation Fund,

7. Recalls that when payments are made in accordance with decision 227 and pursuant to the terms of decision 18 (S/AC.26/Dec.18 (1994)), Governments 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,

8. 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 each respective Government.

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