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UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning the filing of “late” claims of the “bedoun” taken by the Governing Council
of the United Nations Compensation Commission at its 137th meeting, on 2 July 2004

The Governing Council,

Having considered and extensively discussed the request made by the Government of Kuwait at the forty-seventh session (March 2003) that Kuwait be permitted to file claims on behalf of the “bedoun”,

Recalling that the UNCC’s filing deadlines for the filing of claims in categories “A”, “B”, “C” and “D” expired on 1 January 1996,

Noting that the lateness of the request made it impossible for the Council to allow for the filing of the bedoun claims in categories “A”, “B”, “C” and “D” and for the completion of the review of such claims within the anticipated life span of the UNCC,

Recalling that in decision 1 (S/AC.26/1991/1) the Council had previously formulated a mechanism based on the award of fixed amounts of compensation to provide relief to claimants on an expedited basis,

Having acquired sufficient knowledge, through a sampling exercise conducted by the secretariat, that members of the bedoun community did suffer direct losses as a result of Iraq’s invasion and occupation of Kuwait, which would have been compensable under the UNCC’s regular claims programme,

1. Decides, to create an accelerated, special claims programme for the individual bedoun, who meet the following eligibility criteria:

(a) were 18 years of age or older on 2 August 1990, i.e., the starting date of Iraq's invasion and occupation of Kuwait;

(b) were residents of Kuwait on 2 August 1990 and remained as residents of Kuwait until the 1 January 1996 expiration of the filing deadline for the UNCC's regular claims programme;

(c) suffered losses as a direct result of Iraq's invasion and occupation of Kuwait, and provide any available evidence of those losses;

(d) have not had their claims filed with the UNCC by any Government or international organization in any claims category during the regular claims programme; and

(e) have not held the nationality of any State during the period from 1 January 1992 to 1 January 1996,

2. Decides also that a fixed award amount of US\$2,500 will be awarded to each bedoun meeting the above criteria, as determined by the "D1" panel of Commissioners,

3. Decides further that the Government of Kuwait should, as quickly as practicable, file with the UNCC all of the claims of the bedoun that choose to participate in this programme but, in no event, not later than 31 December 2004.
