



Security Council

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UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning part two of the fourth instalment of “F4” claims taken by
the Governing Council of the United Nations Compensation Commission
at its 141st meeting, on 9 December 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 panel of Commissioners concerning part two of the fourth instalment of “F4” claims, covering one claim,¹

1. Approves the recommendations made by the panel of Commissioners, and, accordingly,
2. Decides, pursuant to article 40 of the Rules, to approve the amount of the recommended award concerning the claim covered in the report. The aggregate amount awarded, based on the recommendations contained in paragraph 135 of the report, is 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>
Kuwait	1	-	6,799,491,526	2,277,206,389

¹ The text of the report appears in document S/AC.26/2004/17.

3. Reaffirms that when funds become available payments shall be made in accordance with decision 227 (S/AC.26/Dec.227 (2004)),

4. 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)), the Government of the State of Kuwait 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,

5. Decides that, to ensure that funds are spent on conducting the environmental remediation activities in a transparent and appropriate manner and that the funded projects remain reasonable remediation activities, the Government of the State of Kuwait is directed to submit to the secretariat every six months progress reports concerning the status of the funds received and the environmental remediation projects. The secretariat will keep the Governing Council informed of such progress reports for any appropriate action that may be required. The Governing Council shall consider what further measures may be necessary to ensure that the funds will only be used for reasonable remediation projects, and shall specify any mechanism that may be necessary,

6. 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 Government of the State of Kuwait.
