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UNITED NATIONS  
COMPENSATION COMMISSION  
GOVERNING COUNCIL

Decision concerning the special instalment of deceased detainee claims filed pursuant to  
Governing Council decision 12 taken by the Governing Council of the United Nations  
Compensation Commission at its 144th meeting, on 10 March 2005

The Governing Council,

Having received, in accordance with article 38 of the Provisional Rules for Claims Procedure (“the Rules”), the report and recommendations of the “D1” panel of Commissioners concerning the special instalment of deceased detainee claims filed pursuant to Governing Council decision 12, covering 605 category “D” deceased detainee claims, two category “D” claims filed pursuant to decision 12 relating to personal injuries suffered as a result of landmine explosions, and one category “F3” claim filed by the Government of Kuwait,<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 amount, based on the recommendations contained in paragraph 104 of the report, is as follows:

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<sup>1</sup> The text of the report appears in document S/AC.26/2005/1. In conformity with the provisions of article 40, paragraph 5 of the Rules, information concerning the identities of individual claimants and the amount to be paid to each individual claimant will not be made public, but will be provided to the Government of the State of Kuwait separately.

Table 1 Recommended awards for the deceased detainee claims

<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	602	1	258,786,901.41	161,006,250.05

Table 2. Recommended awards for claims for personal injuries resulting from landmine explosions

<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	2	-	251,211.07	134,551.34

Table 3. Recommended award for category "F" claim

<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	37,537,778.00	nil

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 Notes that, as referred to in paragraph four of the report, two deceased detainee claims were withdrawn by the claimant in the course of the Panel's review of this instalment,

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

5. 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,

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.

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