



Security Council

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United Nations Compensation Commission

Governing Council

Sixteenth special session

Geneva, 9 February 2022

Fulfilment of the mandate of the Commission

The Governing Council,

Recalling paragraph 16 of Security Council resolution 687 (S/RES/687 (1991)) which affirmed Iraq's liability under international law for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait,

Recalling also paragraph 18 of Security Council 687 and paragraph 3 of Security Council resolution 692 (S/RES.692 (1991)) wherein the Security Council decided to establish both the Commission and the Compensation Fund to process claims and pay compensation for losses and damage suffered as a direct result of Iraq's unlawful invasion and occupation of Kuwait,

Recalling further that pursuant to various Security Council resolutions and decisions of the Governing Council, the Government of Iraq was required to transfer a percentage of proceeds from export sales of petroleum, petroleum products and natural gas into the Fund,

Noting that following the establishment of the Commission, approximately 2.69 million claims were submitted by more than one hundred Governments and international organizations, seeking a total of approximately US\$352.5 billion in compensation,

Noting also that following the processing of all claims received by the Commission, the Governing Council awarded \$52,383,356,715 to 1,543,619 successful claimants,

Noting further that with the final compensation payment of \$629,324,488 made on 13 January 2022 to the Government of Kuwait on behalf of the Kuwait Petroleum Corporation, all claims awarded compensation by the Commission have now been paid in full,

Appreciating the commitment of the Government of Iraq to meeting its obligations under relevant Security Council resolutions and Governing Council decisions and its cooperation over the lifespan of the Commission,

Recognizing the cooperation of the Government of Kuwait with both the Commission and the Government of Iraq,

Welcoming the improved relations between Iraq and Kuwait,

1. *Declares* that the Government of Iraq has fulfilled its international obligations to compensate all claimants awarded compensation by the Commission for losses and damages suffered as a direct result of Iraq's unlawful invasion of Kuwait;

2. *Decides* that effective immediately, the Government of Iraq is no longer required to deposit a percentage of proceeds from export sales of petroleum, petroleum products and natural gas into the Compensation Fund;
3. *Requests* that the President of the Governing Council present the final report of the Governing Council, as approved by the Governing Council, to the Security Council;
4. *Invites* the Security Council to take the necessary action to note that the mandate of the Commission has been fulfilled and that the Commission will be winding down all activities in 2022;
5. *Notes* that a final Governing Council session will be required to conclude the remaining matters related to the dissolution of the Commission and the Fund;
6. *Directs* the Secretariat to take the necessary administrative action for the return of any amounts remaining in the Compensation Fund to the Government of Iraq.
