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THIRTY-THIRD REPORT OF THE EXECUTIVE SECRETARY PURSUANT TO
ARTICLE 41 OF THE PROVISIONAL RULES FOR CLAIMS PROCEDURE

Introduction

1. The present report identifies, pursuant to article 41 of the United Nations Compensation Commission's (the "Commission") Provisional Rules for Claims Procedure (S/AC.26/1992/10) (the "Rules"), recommended corrections in the various claims categories since the "Thirty-second report of the Executive Secretary pursuant to article 41 of the Provisional Rules for Claims Procedure" (S/AC.26/2005/13) (the "thirty-second article 41 report"). Chapter I of this report contains recommended corrections concerning claims in categories "A", "C", "D" and "E/F". Chapter II provides information concerning requests by claimants for corrections under article 41 of the Rules to approved awards in categories "D" and "E", including a report of the secretariat's review to determine whether or not these requests warrant action under article 41. Annexes I to III to this report contain tables showing the aggregate corrected awards, by country and by instalment, based on the recommendations contained herein. Annex IV contains tables showing the secretariat's review of requests for corrections to claims in categories "D" and "E" undertaken since the thirty-second article 41 report. Annex V contains a cumulative table of article 41 corrections to claim awards up to the fifty-eighth session of the Governing Council.

I. RECOMMENDED CORRECTIONS CONCERNING CLAIMS IN CATEGORIES "A", "C", "D" AND "E/F"

A. Category "A" corrections

2. Recommendations for corrections to category "A" claims comprise the following kinds of corrections: duplicate claims, higher to lower amounts and other corrections.

1. Duplicate claims

3. The Commission received information from the Governments of Sri Lanka and the Philippines that claims that they had submitted in category "A" were duplicates of other claims awarded compensation in category "A". Following a review of these claims, the secretariat confirms that five claims from Sri Lanka and 16 claims from the Philippines are, in fact, duplicates and should not have been awarded compensation. The Government of Sri Lanka returned to the Compensation Fund the full amount (USD 10,500) for three claims and partial amounts (USD 4,000) for two claims, leaving an outstanding balance of USD 4,000. The Government of the Philippines returned to the Compensation Fund the full amount for 13 claims (USD 62,500) and partial amounts for three claims (USD 7,500), leaving an outstanding balance of USD 7,000. The total outstanding balance of USD 11,000 is repayable to the Compensation Fund and the secretariat has reminded the relevant Governments of their obligation to return the funds.

4. Accordingly, as set forth in table 1 below, it is recommended that the awards for these claims be corrected. Table 1 identifies the countries concerned, the instalments to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 1. Category “A” corrections: duplicate claims

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------|-------------------|----------------------------------|-----------------------------------|
| Sri Lanka | Fourth | 2 | (8,000.00) |
| | Fifth | 2 | (6,500.00) |
| | Sixth | 1 | (4,000.00) |
| Philippines | Second | 1 | (4,000.00) |
| | Third | 4 | (28,000.00) |
| | Fourth | 3 | (16,000.00) |
| | Fifth | 1 | (4,000.00) |
| | Sixth | 7 | (25,000.00) |
| Total | | 21 | (95,500.00) |

2. Higher to lower amounts

5. Decision 21 (S/AC.26/Dec.21 (1994)) of the Governing Council states that “any claimant who has selected a higher amount in category ‘A’ (US\$4,000 or US\$8,000) and has also filed a category ‘B’, ‘C’ or ‘D’ claim will be deemed to have selected the corresponding lower amount under category ‘A’”. Following receipt of further information from the Government of the Philippines, the secretariat confirmed that 45 claims submitted by the Government of the Philippines were filed for a higher amount in category “A” by claimants who had also filed claims in another claim category. Therefore, the awards for these category “A” claims should be reduced to the amounts appropriate to the proper status of the claims. When notifying the Commission that these claims should have been awarded the lower amount, the Government of the Philippines returned to the Compensation Fund the full amount of the awards issued for these claims.

6. Accordingly, as set forth in table 2 below, it is recommended that the awards for these claims be corrected. Table 2 identifies the country concerned, the instalments to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 2. Category “A” corrections: higher to lower amounts

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------|-------------------|----------------------------------|-----------------------------------|
| Philippines | Third | 1 | (1,500.00) |
| | Fourth | 43 | (67,500.00) |
| | Sixth | 1 | (3,000.00) |
| Total | | 45 | (72,000.00) |

3. Other corrections

7. The Commission received information from the Government of the Philippines that three category “A” late-filed claims that it had submitted were filed by claimants who had previously filed other claims in category “A”.

8. Following a review of these claims, the secretariat confirms that the category “A” late-filed claims were, in fact, filed by the same claimants. Accordingly, the claimants had an opportunity to file their claims during the regular filing period and were not entitled to file the category “A” late-filed claims. It should be noted that the Government of the Philippines returned to the Compensation Fund the full amount of the awards issued for the three category “A” late-filed claims.

9. Accordingly, as set forth in table 3 below, it is recommended that the awards for these claims be corrected. Table 3 identifies the country concerned, the instalment to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 3. Category “A” corrections: other corrections

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------|---|----------------------------------|-----------------------------------|
| Philippines | Late-filed category “A” and category “C” claims | 3 | (12,000.00) |
| Total | | 3 | (12,000.00) |

10. In summary, the recommended corrections in category “A” concern 69 claims submitted by two Governments resulting in a net decrease in the total amount awarded of USD 179,500. The recommendations with respect to the second, third, fourth, fifth and sixth instalments of regular category “A” claims and the late-filed category “A” and category “C” claims, by country and by instalment, are provided in tables 1 to 7 of annex I to this report.

B. Category “C” corrections

11. Recommendations for corrections to category “C” claims arise from confirmed duplicate claims, clerical errors made by the secretariat in the processing of claims and other corrections.

1. Duplicate claims

12. The Commission received information from the Government of India that five claims were potentially duplicative of five other claims that were awarded compensation in category “C”. Having reviewed the information received from the Government of India, the secretariat confirms that the claims are, in fact, duplicates and should not have been awarded compensation. When notifying the

Commission of these duplicate claims, the Government of India returned to the Compensation Fund the full amount of the awards issued for the duplicate claims.

13. Accordingly, as set forth in table 4 below, it is recommended that the awards for these claims be corrected. Table 4 identifies the countries concerned, the instalments to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 4. Category “C” corrections: duplicate claims

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------|-------------------|----------------------------------|-----------------------------------|
| India | Fourth | 2 | (13,245.63) |
| | Sixth | 2 | (20,795.46) |
| | Seventh | 1 | (29,606.19) |
| Total | | 5 | (63,647.28) |

2. Data entry errors

14. Following observations and recommendations made by the Office of Internal Oversight Services to the Commission (“OIOS”) in an audit report dated 13 December 2005, the secretariat reviewed a claim filed through the Government of Jordan that was included in the “Report and recommendations of the panel of Commissioners concerning the seventh instalment of individual claims for damages up to US\$100,000 (category ‘C’ claims)” (S/AC.26/1999/11), which recommendations were approved by the Governing Council in decision 70 (S/AC.26/Dec.70 (1999)).

15. As a result of its review, the secretariat noted that a clerical error was made in the processing of the claim that warrants correction under article 41 of the Rules. Specifically, at the time of data entry, an incorrect currency code was entered into the Commission’s database for the C6 (salary) component of the claim. The claimant’s “prior monthly salary” was entered into the Commission’s database in Kuwaiti dinars, when the amount should have been entered in United States dollars.

16. As a result of this clerical error, the panel had recommended USD 60,000 for the claimed C6 (salary) losses. The secretariat reviewed the file and concluded that, applying the correct currency code, pursuant to the methodology established by the panel the claimant is entitled to receive a compensation award in the amount of USD 22,050 for his C6 losses. Moreover, the C1 (departure loss) component of the claim should be reduced to nil since the claimant was awarded compensation in the amount of USD 5,000 under category “A” for the same losses. Therefore, the total amount of compensation awarded for the claim should be USD 64,658.05, which represents a net reduction of USD 35,341.95.

17. During the review undertaken on certain category “C” claims in the course of the exercise to identify duplicates and other claims raising potential overpayment issues, the secretariat reviewed a

claim filed through the Government of the Syrian Arab Republic that was included in the “Report and recommendations of the panel of Commissioners concerning the fifth instalment of individual claims for damages up to US\$100,000 (category ‘C’ claims)” (S/AC.26/1997/1), which recommendations were approved by the Governing Council in decision 41 (S/AC.26/Dec.41 (1997)).

18. As a result of its review, the secretariat noted that a clerical error was made in the processing of the claim that may warrant correction under article 41 of the Rules, should the Council so decide. Specifically, at the time of data entry, the secretariat failed to enter the C8 (business) losses amount claimed by the claimant in the UNCC database.

19. As a result of this clerical error, the panel had recommended no compensation for the claimant’s C8 (business) losses. However, in accordance with the panel’s established methodology, the C8 claim form filed by the claimant and the evidence in the claim file confirm the existence of the losses. The secretariat reviewed the file and concluded that, applying the established methodology, the claimant would be entitled to receive a compensation award in the amount of USD 47,133.10 for his C8 (business) losses, subject to the Council’s approval.

20. Accordingly, as set forth in table 5 below, it is recommended that the award for the claim referred to in paragraph 15 above be corrected and that the Council consider whether a correction should be made to the claim referred to in paragraph 18 above. Table 5 identifies the countries concerned, the instalments to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 5. Category “C” corrections arising from data entry errors

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------------|-------------------|----------------------------------|-----------------------------------|
| Jordan | Seventh | 1 | (35,341.95) |
| Syrian Arab Republic | Fifth | 1 | 47,133.10 |
| Total | | 2 | 11,791.15 |

3. Other corrections

21. The Commission received information from the Government of the Philippines that two category “C” late-filed claims that it had submitted were filed by claimants who had previously filed other claims in category “A”.

22. Following a review of these claims, the secretariat confirms that the category “C” late-filed claims were, in fact, filed by the same claimants who had filed claims in category “A”. Accordingly, the claimants had an opportunity to file their claims during the regular filing period and were not entitled to file the category “C” late-filed claims. It should be noted that the Government of the Philippines returned to the Compensation Fund the full amount of the awards issued for the two category “C” late-filed claims.

23. Accordingly, as set forth in table 6 below, it is recommended that the awards for these claims be corrected. Table 6 identifies the country concerned, the instalment to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 6. Category “C” corrections: other corrections

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------|--|----------------------------------|-----------------------------------|
| Philippines | Late-filed category “A” and category “C” claims | 2 | (20,369.68) |
| Total | | 2 | (20,369.68) |

24. In summary, the recommended corrections in category “C” concern nine claims submitted by four Governments resulting in a net reduction of the total amount awarded of USD 72,225.81. Of these, increased the total amount awarded for one claim was increased by USD 47,133.10 and the total amount awarded for eight claims was reduced by USD 119,358.91. The recommendations with respect to the fourth, fifth, sixth and seventh instalments of regular category “C” claims and the late-filed category “A” and category “C” claims, by country and by instalment, are provided in tables 1 to 6 of annex II to this report.

C. Category “D” correction

25. During the process of carrying out additional checks on processed claims, the secretariat reviewed a claim, filed through the Government of India, that was included in the “Report and recommendations made by the ‘D2’ panel of Commissioners concerning the fifth instalment of individual claims for damages above USD 100,000 (category ‘D’ claims)” (S/AC.26/2000/12), which recommendations were approved by the Governing Council in decision 97 (S/AC.26/Dec.97 (2000)).

26. As a result of its review, the secretariat noted that a clerical error was made in the processing of the claim that may warrant correction under article 41 of the Rules, should the Council so decide. Specifically, the secretariat, in valuing the loss of support component of the D3 (money) claim, erroneously used a pensionable age of 55 years instead of 65 years. Pursuant to the D3 (money) methodology applicable to loss of support, the pensionable age for Indian nationals is 65 years.

27. As a result of this clerical error, the panel had recommended compensation in the amount of USD 16,903.83 for the claimant’s D3 losses. The secretariat reviewed the file and concluded that, applying the established methodology, the amount of compensation recommended for the D6 losses should have been USD 27,419.44, subject to the Council’s approval.

28. Accordingly, as set forth in table 7 below, it is recommended that the Council consider whether a correction should be made to this claim. Table 7 identifies the country concerned, the instalment to be adjusted, the number of claims affected, and the net effect of the adjustments.

Table 7. Category “D” correction

| <i>Country</i> | <i>Instalment</i> | <i>Number of claims affected</i> | <i>Amount of net effect (USD)</i> |
|----------------|-------------------|----------------------------------|-----------------------------------|
| India | Fifth | 1 | 10,515.61 |
| Total | | 1 | 10,515.61 |

29. In summary, the recommended correction in category “D” concerns one claim submitted by one Government resulting in a net increase of the total amount awarded of USD 10,515.61. The recommendation with respect to the fifth instalment of “D” claims, by country and by instalment, is provided in tables 1 to 2 of annex III to this report.

D. Category “E/F” corrections

30. Following an inquiry from the Government of the Netherlands, the secretariat reviewed the claims that were included in the “Report and recommendations made by the panel of Commissioners concerning the second instalment of ‘E/F’ claims” (S/AC.26/2002/18), which recommendations were approved by the Governing Council in decision 163 (S/AC.26/Dec.163 (2002)).

31. As a result of its review, the secretariat noted that clerical errors were made in the processing of two claims included in the second instalment of “E/F” claims that warrant correction under article 41 of the Rules. Specifically, the secretariat entered in the UNCC database incorrect amounts for the amounts claimed with respect to “payment or relief to others – loss of aircraft spares (court awarded interest on judgement sum)” for two claimants – a Dutch claimant and a French claimant. As a result of these errors, annex III to the panel’s report and recommendations shows the incorrect amounts.

32. For the Dutch claimant, the correct claimed amount for this loss item is USD 2,189,441. However, the secretariat erroneously entered the amount of USD 1,375,559 in the database. The total amount claimed by the claimant for all loss types should be USD 11,188,941 (and not USD 10,375,059 as shown in annex III to the panel’s report and recommendations).

33. For the French claimant, the correct claimed amount for this loss item is USD 268,327. However, the secretariat erroneously entered the amount of USD 368,327 in the database. The total amount claimed by the claimant for all loss types should be USD 1,390,272 (and not USD 1,490,272 as shown in annex III to the panel’s report and recommendations).

34. The panel recommended no compensation for the loss item “payment or relief to others – loss of aircraft spares (court awarded interest on judgement sum)” for the two claims in question on the basis that “part or all of the loss is not direct”. The recommended corrections to the amount claimed will not affect the panel’s recommendation for the claims, which in any event will remain as nil. The article 41 correction is recommended so that the database may be corrected to reflect the correct amounts claimed.

II. REQUESTS BY CLAIMANTS FOR ARTICLE 41 CORRECTIONS

35. During the period under review, the secretariat continued its review of requests from Governments and international organizations for corrections to claims in categories “D” and “E”, submitted under article 41 of the Rules. The requests and the Executive Secretary’s conclusions with respect to those requests are outlined below.

A. Category “D” claims

36. During the period under review, the secretariat reviewed a total of 64 requests from three Governments and two other submitting entities for corrections to claims in category “D”. The requests and their submitting entities are set forth in table 1 of annex IV to this report. Having carefully reviewed all aspects of the requests, the Executive Secretary has concluded that no correction of the relevant Governing Council decisions is necessary and that no action pursuant to article 41 of the Rules is warranted with regard to the claims in question.

B. Category “E” claims

37. During the period under review, the secretariat reviewed a total of 50 requests from two Governments for corrections to claims in category “E”. The requests and the submitting entities are set forth in table 2 of annex IV to this report. Having carefully reviewed all aspects of the requests, the Executive Secretary has concluded that no correction of the relevant Governing Council decisions is necessary and that no action pursuant to article 41 of the Rules is warranted with regard to the claims in question.

C. Pending requests for correction

38. In addition, during the period under review, the secretariat received 72 requests for article 41 corrections with respect to claims in category “D” from the Palestinian Authority. The secretariat has reviewed 20 of those requests and response letters have been sent to the Palestinian Authority. These reviews are included in the total number of category “D” reviews completed during the period under review, as reported in paragraph 36 above. The secretariat’s review of the remaining 52 requests remains ongoing. Details concerning these requests, and the Executive Secretary’s recommendations to the Governing Council with respect thereto will be contained in upcoming article 41 reports to the Governing Council.

Annex I

RECOMMENDED CORRECTIONS CONCERNING CATEGORY "A" CLAIMS

1. Based on the recommended corrections reported in paragraphs 2 to 10 of this report, supra, the category "A" claims aggregate corrected awards by instalment, per country, are as follows:

Table 1. Second instalment category "A" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 5,764,500.00 | 5,760,500.00 | (4,000.00) |

Table 2. Third instalment category "A" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 5,477,000.00 | 5,447,500.00 | (29,500.00) |

Table 3. Fourth instalment category "A" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 27,383,000.00 | 27,299,500.00 | (83,500.00) |
| Sri Lanka | 69,486,500.00 | 69,478,500.00 | (8,000.00) |

Table 4. Fifth instalment category "A" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 17,920,500.00 | 17,916,500.00 | (4,000.00) |
| Sri Lanka | 69,366,500.00 | 69,360,000.00 | (6,500.00) |

Table 5. Sixth instalment category "A" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 60,483,000.00 | 60,455,000.00 | (28,000.00) |
| Sri Lanka | 35,395,000.00 | 35,391,000.00 | (4,000.00) |

Table 6. Late-filed category “A” and category “C” claims instalment corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 793,500.00 | 781,500.00 | (12,000.00) |

2. Based on the above corrections, the revised category “A” claim total recommended awards by instalment are as follows:

Table 7. Recommended corrected total awards for category “A” claims

| <i>Instalment</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|--|---------------------------------------|--|---------------------------------------|
| Second | 641,921,000.00 | 641,917,000.00 | (4,000.00) |
| Third | 531,997,500.00 | 531,968,000.00 | (29,500.00) |
| Fourth | 732,132,000.00 | 732,040,500.00 | (91,500.00) |
| Fifth | 771,995,500.00 | 771,985,000.00 | (10,500.00) |
| Sixth | 316,553,000.00 | 316,521,000.00 | (32,000.00) |
| Late-filed category “A” and category “C” claims | 22,327,500.00 | 22,315,500.00 | (12,000.00) |

Annex II

RECOMMENDED CORRECTIONS CONCERNING CATEGORY "C" CLAIMS

1. Based on the recommended corrections reported in paragraphs 11 to 24 of this report, *supra*, the aggregate corrected awards for category "C" claims by instalment, per country, are as follows:

Table 1. Fourth instalment category "C" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| India | 45,973,070.30 | 45,959,824.67 | (13,245.63) |

Table 2. Fifth instalment category "C" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------------|---------------------------------------|--|---------------------------------------|
| Syrian Arab Republic | 100,340,376.21 | 100,387,509.31 | 47,133.10 |

Table 3. Sixth instalment category "C" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| India | 104,959,153.41 | 104,938,357.95 | (20,795.46) |

Table 4. Seventh instalment category "C" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| India | 187,623,296.56 | 187,593,690.37 | (29,606.19) |
| Jordan | 283,131,413.88 | 283,096,071.93 | (35,341.95) |

Table 5. Late-filed category "A" and category "C" claims instalment corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| Philippines | 151,191.96 | 130,822.28 | (20,369.68) |

2. Based on the above corrections, the revised category “C” claims total recommended awards by instalment are as follows:

Table 6. Recommended corrected total awards for category “C” claims

| <i>Instalment</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|--|---------------------------------------|--|---------------------------------------|
| Fourth | 725,128,633.46 | 725,115,387.83 | (13,245.63) |
| Fifth | 736,699,216.32 | 736,746,349.42 | 47,133.10 |
| Sixth | 770,841,686.99 | 770,820,891.53 | (20,795.46) |
| Seventh | 1,936,404,174.08 | 1,936,339,225.94 | (64,948.14) |
| Late-filed category “A” and category “C” claims | 7,752,554.18 | 7,732,184.50 | (20,369.68) |

Annex III

RECOMMENDED CORRECTIONS CONCERNING CATEGORY "D" CLAIMS

1. Based on the recommended corrections reported in paragraphs 25 to 29 of this report, supra, the aggregate corrected awards for category "D" claims by instalment, per country, are as follows:

Table 1. Fifth instalment category "D" claims corrections

| <i>Country</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|----------------|---------------------------------------|--|---------------------------------------|
| India | 5,192,628.76 | 5,203,144.37 | 10,515.61 |

2. Based on the above correction, the revised category "D" claim total recommended awards by instalment are as follows:

Table 2. Recommended corrected total awards for category "D" claims

| <i>Instalment</i> | <i>Previous total award (USD)</i> | <i>Corrected total award (USD)</i> | <i>Amount of net effect (USD)</i> |
|-------------------|---------------------------------------|--|---------------------------------------|
| Fifth | 45,956,960.21 | 45,967,475.82 | 10,515.61 |

Annex IV

REQUESTS BY CLAIMANTS FOR ARTICLE 41 CORRECTIONS
IN CATEGORIES “D” AND “E”

1. As reported in paragraph 36 of the present report, supra, the secretariat has continued its review of requests from Governments for corrections to claims in category “D” submitted under article 41 of the Rules. The requests reviewed by country or other submitting entity, date of request and instalment are as follows:

Table 1. Category “D” requests for correction reviewed

| <i>Country or other submitting entity</i> | <i>Date of request</i> | <i>Number of claims</i> | <i>Instalment</i> | <i>Governing Council decision</i> |
|---|------------------------|-------------------------|-------------------------|-----------------------------------|
| Egypt | 16 June 2004 | 2 | Nineteenth, part one | 208 |
| Jordan | 8 May 2002 | 1 | Eleventh | 147 |
| Kuwait | 20 January 2003 | 1 | Twelfth, part one | 155 |
| | 2 April 2003 | 1 | Thirteenth | 165 |
| | 25 April 2003 | 1 | Tenth | 146 |
| | 29 December 2003 | 1 | Tenth | 146 |
| | 29 December 2003 | 1 | Twelfth, part two | 181 |
| | 29 December 2003 | 1 | Fifteenth, part one | 221 |
| | 7 September 2005 | 25 | Twenty-third, part one | 237 |
| | 10 September 2005 | 9 | Twenty-third, part one | 237 |
| Palestine | 21 December 2005 | 10 | Palestinian late claims | 247 |
| | 28 December 2005 | 4 | Palestinian late claims | 247 |
| | 30 December 2005 | 6 | Palestinian late claims | 247 |
| UNDP New York | 21 June 2005 | 1 | Eighteenth, part two | 220 |
| Total | | 64 | | |

2. As reported in paragraph 37 in the present report, supra, the secretariat has continued its review of requests from Governments for corrections to claims in category “E” submitted under article 41 of the Rules. The requests reviewed by country, date of request and instalment are as follows:

Table 2. Category "E" requests for correction reviewed

| <i>Country</i> | <i>Date of request</i> | <i>Number of claims</i> | <i>Subcategory</i> | <i>Instalment</i> | <i>Governing Council decision</i> |
|----------------|------------------------|-------------------------|--------------------|-------------------|-----------------------------------|
| Jordan | 27 October 2003 | 1 | E4 | Eighteenth | 191 |
| Kuwait | 29 December 2003 | 2 | E4 | Fourteenth | 138 |
| | 29 December 2003 | 11 | E4 | Sixteenth | 139 |
| | 29 December 2003 | 9 | E4 | Nineteenth | 149 |
| | 29 December 2003 | 4 | E4 | Twentieth | 150 |
| | 29 December 2003 | 5 | E4 | Twenty-third | 192 |
| | 29 December 2003 | 1 | E4 | Twenty-fifth | 203 |
| | 30 December 2003 | 3 | E4 | Fourteenth | 138 |
| | 30 December 2003 | 6 | E4 | Sixteenth | 139 |
| | 30 December 2003 | 5 | E4 | Nineteenth | 149 |
| | 30 December 2003 | 1 | E4 | Twenty-third | 192 |
| | 19 February 2004 | 1 | E4 | Fourteenth | 138 |
| | 19 February 2004 | 1 | E4 | Twenty-fourth | 170 |
| Total | | 50 | | | |

[ENGLISH ONLY]

Annex V

ARTICLE 41 CORRECTIONS TO CLAIMS AWARDS (UP TO THE FIFTY-EIGHTH SESSION OF THE GOVERNING COUNCIL)

| Report | Category A | | Category B | | Category C | | Category D | | Category E | | Category F | | Total | Number of claims corrected in categories A, B, C, D, E and F |
|-----------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------|--|
| | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | | |
| A (6) panel | (6,439,500.00) | 2,575 | - | - | - | - | - | - | - | - | - | - | (6,439,500.00) | 2,575 |
| B (2.2) panel | - | - | (12,500.00) | 3 ^a | - | - | - | - | - | - | - | - | (12,500.00) | 3 ^a |
| B (3) panel | - | - | 110,000.00 | 10 ^b | - | - | - | - | - | - | - | - | 110,000.00 | 10 ^b |
| C (4) panel | - | - | - | - | (1,922.00) | 49 | - | - | - | - | - | - | (1,922.00) | 49 |
| C (5) panel | - | - | - | - | (77,190.00) | 6 | - | - | - | - | - | - | (77,190.00) | 6 |
| C (6) panel | - | - | - | - | 72,685.00 | 15 | - | - | - | - | - | - | 72,685.00 | 15 |
| D (5) panel | - | - | - | - | - | - | (2,646.81) | 7 | - | - | - | - | (2,646.81) | 7 |
| D (7) panel | - | - | - | - | - | - | (38,836.21) | 13 | - | - | - | - | (38,836.21) | 13 |
| D1 (9.1) panel | - | - | - | - | - | - | 103,532.16 | 4 | - | - | - | - | 103,532.16 | 4 |
| Special D panel | - | - | - | - | - | - | (13,283,441.51) | 426 | - | - | - | - | (13,283,441.51) | 426 |
| E3 (10) panel | - | - | - | - | - | - | - | - | 325,850.00 | 1 | - | - | 325,850.00 | 1 |
| E4 (3) panel | - | - | - | - | - | - | - | - | 536,513.00 | 3 | - | - | 536,513.00 | 3 |
| Article 41(1) | (5,500.00) | 10 | - | - | - | - | - | - | - | - | - | - | (5,500.00) | 10 |
| Article 41(2) | (49,000.00) | 16 | - | - | - | - | - | - | - | - | - | - | (49,000.00) | 16 |
| Article 41(3) | 1,500.00 | 4 | - | - | - | - | - | - | - | - | - | - | 1,500.00 | 4 |
| Article 41(4) | (83,000.00) | 19 | - | - | - | - | - | - | - | - | - | - | (83,000.00) | 19 |
| Article 41(5) | (18,500.00) | 5 | - | - | - | - | - | - | - | - | - | - | (18,500.00) | 5 |
| Article 41(6) | 15,867,500.00 | 10,757 | - | - | - | - | - | - | - | - | - | - | 15,867,500.00 | 10,757 |
| Article 41(7) | (6,975,500.00) | 3,385 | - | - | - | - | - | - | - | - | - | - | (6,975,500.00) | 3,385 |
| Article 41(8) | (7,806,000.00) | 4,385 | - | - | 70,613,604.05 | 23,282 | - | - | - | - | - | - | 62,807,604.05 | 27,667 |

[ENGLISH ONLY]

| Report | Category A | | Category B | | Category C | | Category D | | Category E | | Category F | | Total | Number of claims corrected in categories A, B, C, D, E and F |
|----------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|--|--|
| | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net corrections for categories A, B, C, D, E and F (USD) | |
| Article 41(9) | (4,136,500.00) | 1,062 | - | - | 5,278,142.15 | 1,730 | - | - | - | - | - | - | 1,141,642.15 | 2,792 |
| Article 41(10) | (1,446,000.00) | 364 | - | - | 3,168,018.90 | 467 | - | - | - | - | - | - | 1,722,018.90 | 831 |
| Article 41(11) | (1,358,500.00) | 370 | - | - | - | - | - | - | - | - | - | - | (1,358,500.00) | 370 |
| Article 41(12) | (112,000.00) | 26 | - | - | 613,498.37 | 40 | - | - | - | - | - | - | 501,498.37 | 66 |
| Article 41(13) | (55,500.00) | 40 | - | - | (102,863.22) | 27 | - | - | - | - | - | - | (158,363.22) | 67 |
| Article 41(14) | (8,000.00) | 31 | - | - | 5,580,355.48 | 625 | 103,532.16 | 4 | - | - | - | - | 5,675,887.64 | 660 |
| Article 41(15) | (10,500.00) | 19 | - | - | - | - | (57.66) | 6 | (7,264.37) | 1 | - | - | (17,822.03) | 26 |
| Article 41(16) | 142,000.00 | 73 | - | - | 453,162.71 | 54 | - | - | - | - | - | - | 595,162.71 | 127 |
| Article 41(17) | 707,500.00 | 446 | - | - | 77,461.07 | 6 | - | - | - | - | - | - | 784,961.07 | 452 |
| Article 41(18) | 119,500.00 | 77 | - | - | - | - | - | - | (43,413) | 1 | - | - | 76,087 | 78 |
| Article 41(19) | 154,000.00 | 55 | - | - | 46,976.14 | 6 | 400,986.95 | 6 | - | - | - | - | 601,963.09 | 67 |
| Article 41(20) | 3,739,500.00 | 1,896 | - | - | 53,342.85 | 1 | - | - | - | - | - | - | 3,792,842.85 | 1,897 |
| Article 41(21) | 1,157,500 | 688 | - | - | - | - | - | - | - | - | - | - | 1,157,500.00 | 688 |
| Article 41(22) | 4,419,000.00 | 2,730 | - | - | - | - | - | - | - | - | - | - | 4,419,000.00 | 2,730 |
| Article 41(23) | 44,500.00 | 20 | - | - | 161,331.14 | 15 | 12,411.60 | 1 | (48,653.00) | 7 | - | - | 169,589.74 | 43 |
| Article 41(24) | (3,911,000) | 981 | - | - | 78,646.76 | 12 | 93,543.56 | 3 | - | - | - | - | (3,738,809.68) | 996 |
| Article 41(25) | (11,958,000) | 3,002 | - | - | 1,033,956.47 | 617 | (9,788) | 1 | - | - | - | - | (10,933,831.53) | 3620 |
| Article 41(26) | (176,500) | 47 | - | - | (4,625.19) | 1 | (35,854.67) | 1 | - | - | - | - | (216,979.86) | 49 |
| Article 41(27) | (21,500) | 19 | - | - | (4,435.28) | 32 | - | - | - | - | - | - | (25,935.28) | 51 |
| Article 41(28) | (17,000) | 10 | - | - | (643,080.71) | 40 | 132,837.45 | 7 | - | - | - | - | (527,243.26) | 57 |
| Article 41(29) | (384,500) | 104 | - | - | 2,431,846.73 | 342 | 65,197.89 | 8 | - | - | - | - | 2,112,544.62 | 454 |

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| Report | Category A | | Category B | | Category C | | Category D | | Category E | | Category F | | Total | |
|----------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|-----------------------------------|----------------------------|--|--|
| | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net correction for category (USD) | Number of claims corrected | Net corrections for categories A, B, C, D, E and F (USD) | Number of claims corrected in categories A, B, C, D, E and F |
| Article 41(30) | (106,000) | 56 | - | - | (135,259.01) | 22 | 2,293,477.06 | 6 | 1,227,025 | 1 | (2,552,000) | 2 | 727,243.05 | 87 |
| Article 41(31) | (884,500) | 225 | | | 293,049.23 | 70 | 1,009,224.5 | 8 | | | | | 417,773.73 | 303 |
| Article 41(32) | (1,379,000) | 461 | | | 39,180.66 | 7 | 25,159.36 | 2 | | | | | (1,314,659.98) | 470 |
| Total | (20,989,500.00) | 33,958 | 97,500.00 | 13 | 89,025,882.30 | 27,466 | (9,130,722.17) | 503 | 1,990,057.63 | 14 | (2,552,000) | 2 | 58,441,217.76 | 61,956 |

^a Number of consolidated claim submissions, as conveyed in the panel report.

^b Number of consolidated claim submissions, as conveyed in the panel report.
