

(d) Personnel or materials for training or technical support services relating to the design, development, manufacture, use, maintenance or support of items specified in paragraphs (a) and (b);

25. *Calls upon* all States and international organizations to act strictly in accordance with paragraph 24, notwithstanding the existence of any contracts, agreements, licences or any other arrangements;

26. *Requests* the Secretary-General, in consultation with appropriate Governments, to develop within sixty days, for the approval of the Council, guidelines to facilitate full international implementation of paragraphs 24, 25 and 27, and to make them available to all States and to establish a procedure for updating these guidelines periodically;

27. *Calls upon* all States to maintain such national controls and procedures and to take such other actions consistent with the guidelines to be established by the Council under paragraph 26 as may be necessary to ensure compliance with the terms of paragraph 24, and calls upon international organizations to take all appropriate steps to assist in ensuring such full compliance;

28. *Agrees* to review its decisions in paragraphs 22 to 25, except for the items specified and defined in paragraphs 8 and 12, on a regular basis and in any case one hundred and twenty days following the adoption of the present resolution, taking into account Iraq's compliance with the resolution and general progress towards the control of armaments in the region;

29. *Decides* that all States, including Iraq, shall take the necessary measures to ensure that no claim shall lie at the instance of the Government of Iraq, or of any person or body in Iraq, or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures taken by the Council in resolution 661 (1990) and related resolutions;

#### G

30. *Decides* that, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third-State nationals, Iraq shall extend all necessary cooperation to the International Committee of the Red Cross by providing lists of such persons, facilitating the access of the International Committee to all such persons wherever located or detained and facilitating the search by the International Committee for those Kuwaiti and third-State nationals still unaccounted for;

31. *Invites* the International Committee of the Red Cross to keep the Secretary-General apprised, as appropriate, of all activities undertaken in connection with facilitating the repatriation or return of all Kuwaiti and third-State nationals or their remains present in Iraq on or after 2 August 1990;

#### H

32. *Requires* Iraq to inform the Council that it will not commit or support any act of international terrorism or allow any organization directed towards commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods and practices of terrorism;

#### I

33. *Declares* that, upon official notification by Iraq to the Secretary-General and to the Security Council of its acceptance of the above provisions, a formal cease-fire is effective between Iraq and Kuwait and the Member States cooperating with Kuwait in accordance with resolution 678 (1990);

34. *Decides* to remain seized of the matter and to take such further steps as may be required for the implementation of the present resolution and to secure peace and security in the region.

*Adopted at the 2981st meeting by 12 votes to 1 (Cuba) with 2 abstentions (Ecuador, Yemen).*

#### Decision

At its 2983rd meeting, on 9 April 1991, the Council decided to invite the representatives of Iraq and Kuwait to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait: report of the Secretary-General on the implementation of paragraph 5 of Security Council resolution 687 (1991) (S/22454 and Add.1-3)".<sup>7</sup>

#### Resolution 689 (1991)

of 9 April 1991

*The Security Council,*

*Recalling* its resolution 687 (1991) of 3 April 1991,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Approves* the report of the Secretary-General of 5 and 9 April 1991 on the implementation of paragraph 5 of Security Council resolution 687 (1991);<sup>66</sup>

2. *Notes* that the decision to set up an observer unit was taken in paragraph 5 of resolution 687 (1991) and that the unit can be terminated only by a further decision of the Council; the Council shall therefore review the question of its termination or continuation every six months;

3. *Decides* that the modalities for the initial six-month period of the United Nations Iraq-Kuwait Observation Mission shall be in accordance with the above-mentioned report and shall also be reviewed every six months.

*Adopted unanimously at the 2983rd meeting.*

#### Decisions

In a letter dated 9 April 1991<sup>67</sup> addressed to the President of the Security Council for the attention of the members of the Council, the Secretary-General referred to his report of 5 and 9 April 1991<sup>66</sup> concerning proposed arrangements for the establishment of the United Nations Iraq-Kuwait Observation Mission, which had been approved by the Council by its resolution 689 (1991) of 9 April 1991. In paragraph 4 (a) of that report, he had stated that the command of the Mission would be exercised by a Chief Military Observer appointed by the Secretary-General with the consent of the Council. The Secretary-General informed the President of his intention, with the consent of the Council, to appoint Major-General Günther Greindl (Austria) as Chief Military Observer.

By a letter dated 10 April 1991,<sup>68</sup> the President of the Security Council informed the Secretary-General as follows:

"I have the honour to inform you that your letter dated 9 April 1991<sup>67</sup> concerning your proposal to appoint Major-General Günther Greindl (Austria) as Chief Military Observer of the United Nations Iraq-Kuwait Observation Mission has been brought to the attention of the members of the Security Council. They considered the matter on 10 April 1991 and agreed with the proposal contained in your letter."

In a letter dated 11 April 1991,<sup>69</sup> the President of the Council informed the Permanent Representative of Iraq to the United Nations as follows:

"I have the honour to acknowledge the receipt of your communication dated 6 April 1991<sup>70</sup>.

"You thereby transmit to me the letter addressed to me by the Minister for Foreign Affairs of Iraq, the penultimate paragraph of which contains official notification of the acceptance, irrevocable and without qualifying conditions, by Iraq of resolution 687 (1991) of 3 April 1991, in accordance with paragraph 33 of that resolution.

"You have subsequently confirmed to me on behalf of your Government, during our meeting on 8 April 1991, that the above-mentioned letter constitutes Iraq's irrevocable and unqualified acceptance of resolution 687 (1991) in accordance with paragraph 33 of that resolution. You have also transmitted to me, by your letter of 10 April 1991,<sup>71</sup> the acceptance by Iraq's National Assembly on 6 April 1991 of the aforesaid resolution and confirmed to me, in the name of your Government, that the Revolutionary Command Council has used its constitutional powers

to make this decision legally binding in the Republic of Iraq.

"The members of the Security Council have, accordingly, asked me to note that the conditions established in paragraph 33 of resolution 687 (1991) have been met and that the formal cease-fire referred to in that paragraph is therefore effective.

"The members of the Council welcome this development as a positive step towards the full implementation of resolution 687 (1991)."

In a letter dated 11 April 1991<sup>72</sup> addressed to the President of the Security Council for the attention of the members of the Council, the Secretary-General referred to Council resolutions 687 (1991) of 3 April 1991 and 689 (1991) of 9 April 1991, in which the Council had decided to set up the United Nations Iraq-Kuwait Observation Mission. He stated that he intended to proceed without delay with the deployment of the Mission. Having consulted the parties, the Secretary-General proposed that the Mission be composed of contingents from the following Member States, all of whom had expressed their readiness in principle to make the necessary personnel available: Argentina, Austria, Bangladesh, Canada, Chile, China, Denmark, Fiji, Finland, France, Ghana, Greece, Hungary, India, Indonesia, Ireland, Italy, Kenya, Malaysia, Nepal, Nigeria, Norway, Pakistan, Poland, Romania, Senegal, Singapore, Sweden, Thailand, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela. He stated that the Government of Switzerland had also informed him of its readiness to contribute to the Mission.

In a letter dated 12 April 1991,<sup>73</sup> the President of the Council informed the Secretary-General as follows:

"I have the honour to inform you that your letter dated 11 April 1991<sup>72</sup> concerning the proposed composition of the United Nations Iraq-Kuwait Observation Mission has been brought to the attention of the members of the Security Council. They considered the matter on 12 April 1991 and agreed with the proposal contained in your letter."

On 18 April 1991 the Secretary-General submitted his report on the implementation of paragraph 9 (b) (i) of Security Council resolution 687 (1991),<sup>74</sup> in which the Council had decided that the Secretary-General should submit to it, for approval, a plan calling, *inter alia*, for the forming of a special commission to carry out the tasks enumerated in paragraphs 9 (b) (i-iii), 10 and 13. The report of the Secretary-General contained his proposal, subject to the approval of the Council, for setting up of a special commission and for making all necessary arrangements for the commission to begin implementation of its tasks.

In a letter dated 19 April 1991,<sup>75</sup> the President of the Council informed the Secretary-General as follows: