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**LETTER DATED 4 AUGUST 1997 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

I have the honour to inform you and, through you, the members of the Security Council that, as required by paragraph 8 (a) (ii) of Council resolution 986 (1995), the Government of Iraq has submitted to me its distribution plan for the purchase and distribution of humanitarian supplies, for an additional period as defined in resolution 1111 (1997). The Government of Iraq was informed today that I had approved that plan subject to the condition that its implementation would be governed by resolutions 986 (1995) and 1111 (1997) and the memorandum of understanding, and would be without prejudice to the procedures employed by the Security Council Committee established by resolution 661 (1990).

A copy of the categorized list of supplies and goods that accompanied the Government of Iraq's distribution plan is being made available to the Committee. The list has been scrutinized by experts of the United Nations Special Commission who have identified items that would be subject to notification under the procedures adopted by the Council in its resolution 1051 (1996), the export/import monitoring mechanism for Iraq. The list of items falling under this category is also being forwarded to the Committee. The distribution plan and the letter conveying my acceptance of the plan are attached.

(Signed) Kofi A. ANNAN

Annex I

Letter dated 4 August 1997 from the Under-Secretary-General for Humanitarian Affairs addressed to the Permanent Representative of Iraq to the United Nations

On behalf of the Secretary-General, I wish to acknowledge receipt of the distribution plan submitted by your Government for the second phase, and would like to inform you that I have been authorized by the Secretary-General to convey in this respect the following.

Security Council resolutions 986 (1995) and 1111 (1997) require that Iraq shall guarantee, on the basis of a plan submitted and approved by the Secretary-General, equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs (humanitarian supplies) exported to Iraq under the conditions defined by those resolutions. The memorandum of understanding concluded on 20 May 1996 between the United Nations Secretariat and the Government of Iraq for the implementation of resolution 986 (1995) provides that the Government of Iraq shall prepare a distribution plan describing in detail the procedures to be followed by the competent Iraqi authorities with a view to ensuring equitable distribution of humanitarian supplies and submit such plan to the Secretary-General for approval. The memorandum states in this regard that if the Secretary-General is satisfied that the plan adequately ensures equitable distribution of humanitarian supplies to the Iraqi population throughout the country, he will so inform the Government of Iraq.

I have the honour to inform the Government of Iraq through you that, having examined the distribution plan, the Secretary-General has come to the conclusion that the distribution plan for the second phase as finally submitted on 4 August 1997, if properly implemented, should meet the requirement of equitable distribution of humanitarian goods to the Iraqi population throughout the country. The distribution plan is, therefore, approved with the following remarks.

The approval of the distribution plan is subject to the condition that its implementation is governed by the relevant provisions of Security Council resolutions 986 (1995) and 1111 (1997) and the memorandum of understanding and that, in case of inconsistency between the particular provisions of the plan, on the one hand, and the resolutions and the memorandum of understanding, on the other, the provisions of the latter documents shall prevail.

Note has been taken of the assurances of your Government contained in the letter of the Minister for Foreign Affairs of Iraq, dated 30 July 1997, that the needs of the vulnerable groups referred to in the report of the Secretary-General of 2 July 1997 (S/1997/419) will be met by the Government outside the framework of Security Council resolutions 986 (1995) and 1111 (1997). We take it as a commitment of your Government that the necessary additional resources will be available for such programmes through hospitals, social welfare centres and other similar institutions. In the context of the Secretary-General's responsibilities under resolutions 986 (1995) and 1111 (1997) to determine and

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report on the adequacy of resources to meet the humanitarian needs of the Iraqi population, the United Nations will continue to observe the situation of such groups.

The approval of the distribution plan is also without prejudice to the procedures to be employed by the Security Council Committee established by resolution 661 (1990) concerning export to Iraq of parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq.

The plan includes a categorized list of supplies and goods to be purchased and imported under the distribution plan. The approval of the plan is without prejudice to actions that might be taken by the Committee established by resolution 661 (1990) regarding applications for export of particular items contained in the list submitted for the Committee's consideration in accordance with its procedures.

Likewise, the categorized list contains certain items the export of which to Iraq must be notified to the joint unit established by Security Council resolution 1051 (1996) as these items will be subject to monitoring because of their possible dual use for civilian or for prohibited purposes under Security Council resolution 687 (1991) and other relevant resolutions.

(Signed) Yasushi AKASHI
Under-Secretary-General
for Humanitarian Affairs

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Annex II

Letter dated 4 August 1997 from the Permanent Representative of
Iraq to the United Nations addressed to the Secretary-General

On instructions of my Government, I have the honour to enclose the revised distribution plan submitted by the Government of Iraq in accordance with resolution 1111 (1997).

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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