

**Security Council**

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Letter dated 10 June 2013 from the Secretary-General addressed to the President of the Security Council

I wish to draw your attention to Security Council resolution 833 (1993), in which the Council welcomed the decision of the Secretary-General to make the necessary arrangements for the maintenance of the physical representation of the international boundary between Iraq and Kuwait until other technical arrangements are established by Iraq and Kuwait for this purpose, as recommended by the Iraq-Kuwait Boundary Demarcation Commission in section X.C of its report (S/25811 and Add.1). The United Nations Iraq-Kuwait Observation Mission (UNIKOM) made the necessary arrangements in the former demilitarized zone until its withdrawal in March 2003.

Following an enquiry from the Government of Kuwait, the Secretary-General wrote to the Governments of Kuwait and Iraq on 13 and 15 April 2005, respectively, to inform them that, owing to the departure of UNIKOM and for security reasons, the United Nations had been unable to inspect or maintain the physical representation of the boundary since March 2003. He also reiterated his full commitment to continuing to discharge his responsibility pursuant to Security Council resolution 833 (1993). A field assessment mission, bringing together representatives of the United Nations and both Governments, was deployed to the border from 11 to 25 February 2006, as part of the preparatory work of the Iraq-Kuwait Boundary Maintenance Project. Subsequent attempts by the United Nations to make the necessary arrangements proved unsuccessful, owing to late and incomplete contributions to the Project Trust Fund, as well as the non-removal of obstacles obstructing the line of sight between boundary pillars, which was one of the recommendations of the field assessment mission.

The United Nations continued to pursue the matter, but had to deactivate the Iraq-Kuwait Boundary Maintenance Project in 2009 owing to lack of progress. On 20 March 2012, following a visit to Kuwait by the Prime Minister of Iraq, the Government of Iraq paid its outstanding contribution of \$600,000 to the Trust Fund. On 29 April 2012, the Iraq-Kuwait Joint Ministerial Committee requested that the maintenance of the physical representation of the boundary be resumed by the end of October 2012.

On 4 May 2012, the Under-Secretary-General for Political Affairs agreed to the request of the permanent representatives of Iraq and Kuwait to the United Nations that the Iraq-Kuwait Boundary Maintenance Project be reactivated. From 4 to 11 June 2012, a second field assessment mission, bringing together representatives of the United Nations and both Governments, was deployed to the



border to update the concept of operations and the scope of field maintenance work. Following the selection of companies for engineering and surveying services and the deployment of Iraqi and Kuwaiti technical observers, field maintenance work, under the supervision of United Nations technical staff, started on 15 January 2013.

According to the scope of work, field maintenance work consisted of restoring all boundary pillars and sub-pillars, witness markers, survey plaques and country name plates to their original status and installing additional pillars if necessary. The work was completed on 28 March 2013 (see annex I, tables listing engineering and surveying services provided), by which date the Governments of Kuwait and Iraq had removed all the obstacles between boundary pillars. The United Nations is finalizing the sets of maps of the border area, which will be handed over to the Governments of Iraq and Kuwait along with all relevant technical data and information.

In line with the relevant provision of Security Council resolution 833 (1993), on 30 May 2013, the Ministers for Foreign Affairs of Iraq and Kuwait informed me that, on 28 May 2013, their Governments had signed a memorandum of understanding establishing a bilateral technical arrangement for the physical representation of the boundary between Iraq and Kuwait (see annexes II and III).

In the light of the completion of the maintenance of the physical representation of the international boundary between Iraq and Kuwait, and the establishment of a bilateral technical arrangement for that purpose, it will no longer be required that I make the necessary arrangements. I would therefore consider that my responsibilities under Security Council resolution 833 (1993) have been discharged. In line with relevant United Nations financial rules and regulations, residual funds, if any, less applicable administrative costs, will be returned from the Iraq-Kuwait Boundary Maintenance Project Trust Fund to the Governments of Iraq and Kuwait.

I should be grateful if you would bring the present letter and the annexes thereto to the attention of the members of the Security Council for their information and any action deemed appropriate.

(Signed) **BAN Ki-moon**

Annex I

**Survey and engineering services provided during Iraq-Kuwait
Boundary Maintenance Project field work**

<i>Pillars and sub-pillars</i>	<i>Survey services</i>	<i>Pillar number</i>	<i>Total</i>
Intermediate pillars	Installed and surveyed at existing sites	48A, 60A, 72A, 81A, 82A, 84A, 85A, 105B, 105D	9
	Installed and surveyed at new sites	10A-15A, 46A, 47A, 51A, 53A, 55A, 93A, 95A, 98A, 102A	15
Witness markers	Installed and surveyed at existing intermediate pillars sites	48A, 49A, 60A, 64A, 66A, 73A, 76A, 78A, 96A, 104A, 105A, 105B, 105C, 105D	14
	Installed and surveyed at new intermediate pillars sites	10A-15A, 46A, 47A, 51A, 53A, 55A, 93A, 95A, 98A, 102A	15
	Installed and surveyed at existing main pillars sites	3, 6, 9, 54, 55, 72, 76, 80, 82, 85, 86, 89, 90, 91(2), 103, 104	17
Main pillars	Installed and surveyed	27, 63, 68	3
	Surveyed		106
Pointer pillars	Installed and surveyed	11, 12, 14, 16, 20, 31, 32, 45, 58, 61, 76(2), 89(2), 105(2), 106(2)	18
	Surveyed		152

<i>Quantity</i>			
<i>Engineering services</i>	<i>New</i>	<i>Replaced</i>	<i>Total</i>
Pillars and witness markers			
Main pillars		3	3
Intermediate pillars	15	9	24
Witness markers	15	31	46
Pointer pillars		18	18
Survey plaques replaced/installed			
Main pillars	3	74	77
Intermediate pillars	24		24
Witness markers	15	31	46
Pointer pillars		160	160
Country name plates replaced			
Iraq country name plate		106	106
Kuwait country name plate		106	106

<i>Quantity</i>			
<i>Engineering services</i>	<i>New</i>	<i>Replaced</i>	<i>Total</i>
Repaired	<i>Major</i>	<i>Minor</i>	<i>Total</i>
Main pillars	3	21	24
Pointer pillars		3	3

<i>Action/date</i>	<i>15/10/2012</i>	<i>17/12/2012</i>	<i>15/01/2013</i>	<i>29/01/2013</i>	<i>03/03/2013</i>
<i>16/12/2013</i>	<i>14/01/2013</i>	<i>28/01/2013</i>	<i>02/03/2013</i>	<i>28/03/2013</i>	
Deployment and preparation					
Prefabrications and organization					
Stage I (assessment and minor repairs)					
Stage II (installation of pillars and GPS site survey)					
Stage III (as-built survey and painting)					

Annex II**Letter from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General**

[Original: Arabic]

I refer to your letter of 8 April 2013 to Mr. Nuri Kamel al-Maliki, Prime Minister of the Republic of Iraq, in which you state that the United Nations looks forward to the establishment of bilateral arrangements between the Iraqi and Kuwaiti sides to follow up maintenance of the physical representation of the boundary in the future. Further to your letter, we have now concluded a memorandum of understanding with the State of Kuwait for the maintenance of the boundary pillars on a bilateral basis.

I commend your intensive efforts to take effective steps to implement the Security Council resolutions concerning the situation between Iraq and Kuwait. I am also pleased to congratulate the United Nations team responsible for maintaining the boundary markers on its considerable efforts and on the tangible achievement of completing that project within the time frame agreed by the two countries. We have cooperated in a genuine and effective manner with your mission and with the Kuwaiti team to remove all of the boundary encroachments that impeded the maintenance of the markers.

We welcome the completion of work to establish the physical representation of the boundaries referred to in the relevant Security Council resolutions, in accordance with paragraph 105 of the letter of the Secretary-General contained in document S/25811 of 21 May 1993, which was endorsed by Security Council resolution 833 (1993).

We also wish to inform you that we have concluded an agreement with your Special Representative at the United Nations Assistance Mission for Iraq (UNAMI) concerning the receipt of compensation due to Iraqi farmers in accordance with Security Council resolution 899 (1994). We shall distribute those amounts to the beneficiaries, in addition to amounts allocated for that purpose by the Iraqi Government.

Lastly, we should like to express our appreciation for your efforts to support and assist Iraq in completing the fulfilment of its outstanding obligations as set forth in the Security Council resolutions concerning the situation between Iraq and Kuwait. We hope that the foregoing will be reflected in your next report to the Security Council.

(Signed) Hoshyar Zebari
Minister for Foreign Affairs of the Republic of Iraq

Annex III**Letter from the Minister for Foreign Affairs of Kuwait addressed to the Secretary-General**

[Original: Arabic]

I write with reference to your letter of 8 April 2013 to His Highness Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait. In the letter, you state that the United Nations looks forward to the establishment of bilateral arrangements between the State of Kuwait and the Republic of Iraq to follow up maintenance of the physical representation of the boundary in the future.

I commend the intensive efforts of the Security Council to follow up implementation of its resolutions concerning the situation between Iraq and Kuwait. I am also pleased to congratulate the United Nations team responsible for maintaining the boundary markers on its considerable efforts and on the tangible achievement of completing that project within the time frame agreed by the two countries. I appreciate the genuine and effective cooperation of the Iraqi side in removing all of the boundary encroachments that impeded the maintenance of the markers.

We welcome the completion of work to establish the physical representation of the boundaries in accordance with paragraph 105 of the letter of the Secretary-General contained in document S/25811 of 21 May 1993, which was endorsed by Security Council resolution 833 (1993). At the same time, we wish to emphasize the contents of paragraph 6 of that resolution, in which the Council

underlines and reaffirms its decision to guarantee the inviolability of the above-mentioned international boundary which has now been finally demarcated by the Commission and to take as appropriate all necessary measures to that end in accordance with the Charter, as provided for in paragraph 4 of resolution 687 (1991) and paragraph 4 of resolution 773 (1992).

We commend the Government of Iraq on concluding an agreement with the United Nations for the receipt of compensation payments due to Iraqi farmers in accordance with resolution 899 (1994).

I am pleased to inform you that a memorandum of understanding was signed on 28 May 2013 establishing a bilateral Iraqi-Kuwaiti technical commission responsible for arrangements for maintaining the physical representation of the boundary between the two countries. That measure fulfils the provisions of preambular paragraph 7 of resolution 833 (1993), which envisages the establishment of technical arrangements to maintain the physical representation of the boundary.

Lastly, we reiterate that the State of Kuwait is committed and fully prepared to provide Iraq with the support that it needs in order to fulfil all of its outstanding obligations under the Security Council resolutions concerning the situation between Iraq and Kuwait.

(Signed) Sabah Khalid Al Hamad **Al Sabah**
Deputy Prime Minister
Minister for Foreign Affairs