



Ref .

الرقم: ١٤٢
التاريخ: ٩ / ١١ / ٢٠١٥

الى / الامانة العامة لمجلس الوزراء – مكتب الامين العام
م/ الدورة الثمانون لمجلس ادارة لجنة التعويضات

تحية طيبة ...

نرفق طيا قرار مجلس ادارة لجنة التعويضات في الامم المتحدة القاضي بتأجيل دفع نسبة ٥% من ايرادات العراق النفطية الى صندوق التعويضات لمدة سنة اخرى ولغاية ٢٠١٧/١/١، الصادر عن اجتماعات الدورة الثمانون لمجلس ادارة لجنة التعويضات التي عقدت في جنيف يوم ٢٨ تشرين الاول ٢٠١٥، وكذلك البيان الصحفي الصادر بعد انتهاء اجتماعات الدورة اعلاه بالاضافة الى الرسالة الموجهة الى بعثة العراق الدائمة في مكاتب الامم المتحدة في جنيف لاعلامها بقرار مجلس الادارة المذكور.

للتفضل باطلاع السيد رئيس مجلس الوزراء وتوجيه الجهات ذات العلاقة بشأن ذلك
مع التقدير

د. عبد الباسط تركي سعيد
رئيس اللجنة
٢٠١٥/١١/٩

نسخة منه الى/

- وزارة الخارجية – مكتب الوزير/ للتفضل بالاطلاع ... مع التقدير
- وزارة المالية – مكتب الوزير/ للتفضل بالاطلاع ... مع التقدير
- البنك المركزي العراقي – مكتب المحافظ / للتفضل بالاطلاع ... مع التقدير

UNITED NATIONS
SECURITY COUNCIL
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COMPENSATION COMMISSION



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REFERENCE: UNCC/75/2015

The Secretariat of the United Nations Compensation Commission presents its compliments to the Permanent Mission of the Republic of Iraq and has the honour to provide a report on the outcome of the eightieth session of the Governing Council which was held on 28 October 2015. The Secretariat would like to thank the delegation of Iraq for presenting the views of the Government of Iraq at the opening plenary. A copy of the closing press release is attached.

The Council welcomed the participation of the Iraq Committee of Financial Experts (COFE) and requested that COFE be invited to future meetings of the Governing Council.

At the session, the Council considered Iraq's request for an additional one-year postponement of the requirements under Security Council resolution 1956 (2010) that Iraq deposit five per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas, and five per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers, into the Compensation Fund, unless the Government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over the methods of ensuring that payments are made into the Compensation Fund, decide otherwise. In considering this request, the Council noted that the extraordinarily difficult security circumstances in Iraq have continued since the Council's adoption of decision 272 (2014) which postponed Iraq's obligations over the course of 2015.

After careful consideration, the Council adopted decision 273 (S/AC.26/Dec.273 (2015)), a copy of which is also attached. This decision postpones the requirements set out above until 1 January 2017, with payments towards the Commission's outstanding award resuming in 2017 in accordance with the Council's decision 267 (2009). In adopting this decision, the Council welcomed Kuwait's support for Iraq's request and noted with appreciation Iraq's continued commitment to complying with its obligations as set out in paragraph 3 of Security Council resolution 1956 (2010). The Council also emphasized the importance of Iraq fulfilling its obligations in a timely manner and stressed the importance of the integrity of the Commission and bringing its mandate to a conclusion.

The Council also considered Iraq's request for the UNCC archives in light of the statements made by the delegation of Iraq at the opening plenary session and the Council's numerous discussions in past sessions regarding this matter. The Council recalled its previous conclusions and in particular, its position that it would not consider any options that breach confidentiality and encourages Iraq to reconsider the proposals put forward by the Council in March 2015. The Council would also like to

invite a delegation from Iraq to attend an informal Working Group meeting in early December 2015 to have a further dialogue on this matter. In this regard, the Secretariat would appreciate receiving Iraq's response to this invitation so that the necessary arrangements can be made.

With regard to the discussion at the meeting with the Secretariat on 27 October 2015 regarding the balance in the Compensation Fund following the return of US\$960 million to the Government of Iraq on 9 March 2015 in accordance decision 272 (2014), the Secretariat would like to confirm that the balance will be applied towards the outstanding award when payments resume.

The next Council session has been tentatively scheduled for 27 April 2016, however, the Secretariat will confirm the date in early 2016.

The Secretariat remains at your disposal for further discussion or clarification on the above.

The Secretariat of the United Nations Compensation Commission avails itself of this opportunity to renew to the Permanent Mission of the Republic of Iraq the assurances of its highest consideration.

28 October 2015



cc. H.E. Dr. Mohammad H. Bidan, Ambassador, Ministry of Foreign Affairs, Baghdad
H.E. Dr. Abdulbasit Turki Saaed, Head of the Iraq Committee of Financial Experts



Security Council

Distr.: General
28 October 2015

Original: English

United Nations Compensation Commission
Governing Council
Eightieth session
Geneva, 28 October 2015

Decision concerning the level of Iraq's oil proceeds to be deposited into the Compensation Fund in 2016

The Governing Council,

Recalling paragraph 3 of Security Council resolution 1956 (S/RES/1956 (2010)) which affirms the requirement established in paragraph 21 of Security Council resolution 1483 (2003) that Iraq shall deposit five per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas into the Compensation Fund established in accordance with resolution 687 (1991), and subsequent resolutions, and further decides that five per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers shall be also deposited into the Compensation Fund, unless the Government of Iraq and the Governing Council, in the exercise of its authority over methods of ensuring that payments are made into the Compensation Fund, decide otherwise,

Recalling also that only one claim, awarded to the Government of Kuwait, has an outstanding balance remaining to be paid and that all other claim awards have been paid in full,

Recalling further that decision 272 (2014) postponed until 1 January 2016 Iraq's requirements as set out in paragraph 3 of Security Council resolution 1956 (2010) and directed that Iraq resume deposits effective 1 January 2016, unless the Government of Iraq and the Governing Council decide otherwise,

Having received a request from the Government of Iraq for an additional one-year postponement of the requirement that Iraq deposit five per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas and five per cent of the value of non-monetary payments of petroleum, petroleum products and natural gas made to service providers into the Compensation Fund,

Recognizing that the extraordinarily difficult security circumstances in Iraq and the unusual budgetary challenges associated with confronting this issue have continued since the adoption of decision 272 (2014),

Welcoming the Government of Kuwait's support for Iraq's request for an additional one-year postponement,

Noting with appreciation Iraq's continued commitment to complying with its obligations as set out in paragraph 3 of Security Council resolution 1956 (2010),

Emphasizing the importance of Iraq fulfilling its obligations and completing the payment of the outstanding compensation in a timely manner,

Stressing the importance of the integrity of the Commission and bringing its mandate to a conclusion,

1. *Decides* to extend until 1 January 2017 the postponement of the requirement that Iraq deposit five per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas and five per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers into the Compensation Fund;
 2. *Directs* that effective 1 January 2017, the Government of Iraq resume deposits of five per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas and five per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers into the Compensation Fund;
 3. *Requests* that the Government of Iraq advise the Governing Council in writing no later than 30 September 2016 of Iraq's proposed arrangements for the resumption of deposits on 1 January 2017;
 4. *Decides* that payments of compensation towards the outstanding award will resume in 2017, in accordance with the payment mechanism set out in decision 267 (2009);
 5. *Decides also* that the Governing Council will keep this matter under review.
-

GOVERNING COUNCIL OF UNITED NATIONS COMPENSATION COMMISSION CONCLUDES ITS EIGHTIETH SESSION

28 October 2015

The Governing Council of the United Nations Compensation Commission today concluded its eightieth session.

Delegations from Iraq, including the Head of Iraq's Committee of Financial Experts, which is responsible for the oversight of Iraq's oil revenues, and Kuwait addressed the fifteen-member Governing Council at its opening plenary meeting.

During the session, the Council considered a request from the Government of Iraq for an additional one-year postponement of the requirement under Security Council resolution 1956 (2010) that Iraq deposit five per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas, and five per cent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers, into the Compensation Fund. This Security Council resolution states that such deposits are to be made, unless the Government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over the methods of ensuring that payments are made into the Compensation Fund, decide otherwise.

Noting that the extraordinarily difficult security circumstances in Iraq have continued since the Council's adoption of decision 272 (2014) which postponed Iraq's deposit requirements in 2015, the Council adopted decision 273 (2015), granting a further one-year postponement. In adopting this decision, the Governing Council welcomed Kuwait's support for Iraq's request and noted Iraq's commitment to complying with its obligations. The Council also emphasized the importance of Iraq completing the payment of the outstanding \$4.6 billion in compensation that remains owing to Kuwait in a timely manner.

The Council also considered reports related to the work of the Commission since its last session in June 2015, including audit-related matters.

The session just concluded was the last session for the delegations of Chad, Chile, Jordan (Vice-President), Lithuania and Nigeria, whose terms of office end on 31 December 2015.

The next Governing Council session is tentatively scheduled to be held on 27 April 2016.

Further information about the Commission can be found on the United Nations Compensation Commission website located at www.uncc.ch.

For use of the information media; not an official record

UNCC15/004E

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٢٠١٦ ميلادي الثاني كانون الاول اخل لجانتي (٢٠١٦) ٢٧٢ الفجر ان احقق لا حتى استندى
العراق المحفلة في القرة ٣ من قمار مجلس الامن ١٩٥٦ رقم رامن الثاني كانون الثاني ٢٠١٦
العراق والمحس حكومته العراق ٢٠١٦ ما لم يقرر الثاني كانون الثاني ٢٠١٦

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٢١٠٨ اے کہ یہ حجۃ الوداع ہے ۱۱۰۸ھ میں حجۃ الوداع ہے ۱۱۰۸ھ میں حجۃ الوداع ہے

يَا رَجُلَ كَيْفَ أَتَيْتَ بِهَذَا

الامانة

٥٠. طبعاً المراسم التي تقيده هذه الدائرة هي مسجلة في سجلها.

(٢٠٠٨) ٢٦٨ (٩) في القرار.

٥٠٠. المرسوم رقم ٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

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٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

المجلس،

٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

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٢٠٠٨/٢٦٨ في ١٢ كانون الثاني ٢٠٠٨ في مجلس الوزراء.

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יְהוָה אֱלֹהֵינוּ יִשְׁמְרֵנוּ וְיִבְרַךְ אֶת כָּל אֲמָרֵינוּ.

٥ الخيرة الخيرة ان يسمي وطالب والمسلمين الخيرة الخيرة من الجنة الخيرة بالجنة الخيرة رحب المجلس

١٠. الجنيح الصفي النيران من السطح من فوق يحدون يحدون. العلمانية العامة الخلية في

٢٨ في عقد الذي الادارة المجلس الثمانيين الدوراء العراق وفد العراى القديم وجهة نظر حكومة العراق
تتصرف بان تروها بتقرير عن مخرجات الدورة الثمانيين الى اللجنة المختصة للجنة العراقية
تهدى

یہ سچ ہے

۱۸۵۱ مخمس

١٨٥٥

- سجناء -
- سجناء -

/ نسخة منه الى

٢٨ تشرين الأول ٢٠١٥

لخمهورية العراق تأكيد عالي احترامها.

الامانة العامة للجنة الامم المتحدة هذه الفرصة لتجدد اللجنة الدائمة

الامانة العامة للجنة الامم المتحدة هذه الفرصة لتجدد اللجنة الدائمة

٢٠١٦ عام بداية في تاريخ التار

الامانة العامة للجنة الامم المتحدة هذه الفرصة لتجدد اللجنة الدائمة

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الامانة العامة للجنة الامم المتحدة هذه الفرصة لتجدد اللجنة الدائمة