

## Middle East

### 21. The situation between Iran and Iraq

**Decision of 8 February 1989 (2844th meeting):  
resolution 631 (1989)**

On 2 February 1989, pursuant to resolution 619 (1988), the Secretary-General submitted to the Security Council a report on the activities of the United Nations Iran-Iraq Military Observer Group (UNIIMOG) for the period from its inception on 9 August 1988 to 2 February 1989, and on his efforts to bring about implementation of the other provisions of resolution 598 (1987) of 20 July 1987, which provided the framework for a settlement of the conflict between Iran and Iraq.<sup>1</sup> The report described the steps taken by UNIIMOG to monitor compliance with a ceasefire which had come into effect on 20 August 1988, and to investigate alleged violations of it. It noted that, although the Group had received numerous complaints of such violations, most of them were very minor in nature and few had been confirmed as violations. Moreover, the number of alleged and confirmed violations per month had been steadily declining as UNIIMOG had gained the trust and respect of both parties. A preliminary agreement on the status of UNIIMOG had been concluded with the Government of Iraq, but a similar agreement with the Government of the Islamic Republic of Iran was still under discussion.

The Secretary-General observed that the ceasefire, together with the discontinuation of all military activities on land, at sea and in the air and withdrawal to the internationally recognized boundaries, constituted a first step towards a negotiated settlement as demanded by resolution 598 (1987). Direct talks between the two parties had been held under his auspices immediately after the establishment of the ceasefire, aimed at reaching a common understanding of the other provisions of the resolution and the procedures and timings for their

implementation. However, the parties continued to hold divergent views on various issues: on what constituted a ceasefire, on when the withdrawal of forces to the internationally recognized boundaries should begin, and on the context and manner in which the question of the restoration of the Shatt al-Arab to navigation should be discussed. They also disagreed on the wider issue of the framework for the conduct of the direct talks. Those differences and the underlying issues involved had made it difficult to proceed with the full and rapid implementation of resolution 598 (1987).

The Secretary-General emphasized that it was important for the authority of the Security Council that that resolution not remain partially implemented. Stressing the need to develop the basis for mutual trust between the two parties, he strongly hoped that further steps of a confidence-building character might be taken by each side in the near future. The implementation of the resolution required that all concerned show renewed positive determination and that they intensify their efforts to make clear to each other their objectives. The implementation of the resolution would bring peace to both countries and contribute to security and stability for the region as a whole. For that to be achieved, however, the resolution should be looked at in a wider context. It had to be implemented in conformity with the principles of international law as they pertained to respect for territorial integrity, non-acquisition of territory by force, the inviolability of internationally recognized boundaries and non-interference in the internal affairs of other States. The underlying principle was the fulfilment in good faith of international obligations and in particular of those set out in the Charter of the United Nations. Implementation also required a restoration of normality as soon as possible. The Secretary-General stated that he intended to pursue the discussions with the two Foreign Ministers soon and to explore with them how to proceed in the most effective manner. He stressed that, for the talks to be successful, both sides had to accept that there would be neither victor nor vanquished at the negotiating table and that the integrity, dignity and honour of both countries would be preserved. He considered that to be the solid foundation for serious and productive peace talks

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<sup>1</sup> S/20442. UNIIMOG was established by resolution 619 (1988) of 9 August 1988. Its mandate, set out in paragraphs 1 and 2 of resolution 598 (1987) of 20 July 1987, was to verify, confirm and supervise an immediate ceasefire between the two countries and the withdrawal of all forces to the internationally recognized boundaries.

between the two countries under his auspices. In the meantime, the Secretary-General viewed the continued presence of UNIIMOG as an essential condition for further progress towards the full implementation of resolution 598 (1987). Both parties had, moreover, assured him of their support for the Group and of their agreement that its mandate should be extended. He accordingly recommended to the Council that the mandate of UNIIMOG be extended for a period of 7 months and 22 days, until 30 September 1989.

At its 2844th meeting, on 8 February 1989, the Council included the report of the Secretary-General in its agenda. After the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and Iraq, at their request, to participate in the discussion without the right to vote.

At the same meeting, the President (Nepal) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>2</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 631 (1989), which reads:

*The Security Council,*

*Recalling* its resolutions 598 (1987) of 20 July 1987 and 619 (1988) of 9 August 1988,

*Having considered* the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 2 February 1989, and taking note of the observations expressed therein,

*Decides:*

(a) To call upon the parties concerned to implement immediately Security Council resolution 598 (1987);

(b) To renew the mandate of the United Nations Iran-Iraq Military Observer Group for a period of seven months and twenty-two days, that is, until 30 September 1989;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 598 (1987).

**Decision of 29 September 1989  
(2885th meeting): resolution 642 (1989)**

On 22 September 1989, pursuant to resolution 631 (1989), the Secretary-General submitted to the Security Council a report on UNIIMOG for the period

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<sup>2</sup> S/20449.

from 3 February to 22 September 1989.<sup>3</sup> He stated that the ceasefire had, on the whole, been maintained during the period under review. There had been a few serious violations and many minor ones, but in general the parties had honoured their commitment to respect the ceasefire and had cooperated with UNIIMOG. Preliminary agreements concerning the status of UNIIMOG had been concluded with both countries. The Secretary-General expressed concern, however, about the restrictions imposed on the Group's freedom of movement in various locations. He noted, moreover, that, although UNIIMOG continued successfully to monitor compliance with the ceasefire, the withdrawal of forces to the internationally recognized boundaries had not yet taken place; part of the UNIIMOG mandate thus remained unimplemented. It was a matter of widespread concern that one year had elapsed without any further progress beyond the partial implementation of paragraphs 1 and 2 of resolution 598 (1987), demanding a ceasefire and troop withdrawal under United Nations supervision. The present situation of "no war-no peace" contained elements of instability not only for the two countries concerned but also for the region. Both parties, he said, had repeatedly expressed their commitment to achieving the full implementation of the resolution. However, largely because of mutual mistrust, the divergence in their interpretations of how that was to be accomplished had prevented forward movement. Iraq's position was that the resolution should be fully implemented as a peace plan. Its main concern was the implementation of the other provisions of the resolution, once the withdrawal to the internationally recognized boundaries had been carried out. It maintained that the direct talks it had envisaged to reach a common understanding of the resolution as a whole had yet to take place. The Islamic Republic of Iran, on the other hand, was of the view that the withdrawal to the internationally recognized boundaries was a mandatory provision of the resolution which should be carried out without delay or preconditions. It asserted that the withdrawal should be implemented as a first step, together with the ceasefire, in accordance with paragraph 1 of the resolution. The parties had also taken different views of how and when to implement paragraph 3 of the resolution, on the release and repatriation of prisoners of war.

The Secretary-General affirmed that he and his Personal Representative had stressed to the parties the

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<sup>3</sup> S/20862.

need to implement resolution 598 (1987) as an integrated whole — an approach which the Council had repeatedly supported — and had also underlined the urgency which the Council attributed to particular provisions of that resolution. He had stressed that the resolution demanded a withdrawal to the internationally recognized boundaries and urged the release and repatriation of the prisoners of war, without delay. He had recognized, however, that other provisions might take longer to implement. He reported, in that regard, that each side had to be assured of the other's firm commitment to the full implementation of the resolution, even though all the elements did not require the same amount of time to be implemented. He stressed that such assurances, which would be in conformity with relevant principles of international law, must be given in a manner that would lay the foundation for stability and peace in the region, another objective of the resolution. In that context, the full support of the economic life of the two countries would be to the advantage of both. The Secretary-General expressed his confidence that the leadership of both countries would make it possible for his Personal Representative to address the issues constructively when he visited the area later in the year. He was also sure that the Security Council would continue to provide him with all necessary support. Observing that UNIIMOG had played an indispensable role in ensuring the maintenance of the ceasefire, and that its continued presence was an essential condition for further progress towards the full implementation of resolution 598 (1987), he recommended, with the agreement of the parties, that the Council extend the Group's mandate for a further period of six months, until 31 March 1990.

At its 2885th meeting, on 29 September 1989, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and of Iraq, at their request, to participate in the discussion without the right to vote.

At the same meeting the President (Brazil) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>4</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 642 (1989), which reads:

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<sup>4</sup> S/20873.

*The Security Council,*

*Recalling* its resolutions 598 (1987) of 20 July 1987, 619 (1988) of 9 August 1988 and 631 (1989) of 8 February 1989,

*Having considered* the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 22 September 1989, and taking note of the observations expressed therein,

*Decides:*

(a) To call once again upon the parties concerned to implement immediately Security Council resolution 598 (1987);

(b) To extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of six months, that is, until 31 March 1990;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 598 (1987).

**Decision of 27 February 1990 (2908th meeting):  
statement by the President**

At its 2908th meeting, held on 27 February 1990 in accordance with the understanding reached in its prior consultations, the Council included in its agenda the item entitled "The situation between Iran and Iraq". After the adoption of the agenda, the President (Cuba) said that, following consultations among the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>5</sup>

The Council expresses its appreciation to the Secretary-General for his briefing on the situation between Iran and Iraq and on his integrated approach to the format, agenda and timetable for direct talks between the parties aimed at achieving the full implementation of resolution 598 (1987) of 20 July 1987.

Accordingly, the Council fully supports the efforts of the Secretary-General aimed at the holding of appropriately structured direct talks between both parties under his auspices, for a period of two months and with a specific agenda, the elements of which he outlined to the members of the Council, that he would propose to the parties, on the basis of the concluding observations contained in his report of 22 September 1989.

The Council calls upon both parties to cooperate fully with the Secretary-General in his ongoing efforts, considering that 18 months after the ceasefire between Iran and Iraq, resolution 598 (1987) has not yet been fully implemented.

The Council requests the Secretary-General to report to it at the conclusion of this stage of his efforts and to inform it on

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<sup>5</sup> S/21172.

the results achieved and on the further steps he envisages for the full implementation of resolution 598 (1987).

**Decision of 29 March 1990 (2916th meeting):  
resolution 651 (1990)**

On 22 March 1990, pursuant to resolution 642 (1989), the Secretary-General submitted to the Security Council a report on UNIIMOG for the period from 23 September 1989 to 22 March 1990.<sup>6</sup> The Group, he stated, continued to monitor compliance with the ceasefire. Despite two serious firing incidents in December 1989, there had been a general calm along the ceasefire lines and a significant and encouraging decline in the number of major violations throughout the mandate period. UNIIMOG continued to receive cooperation from the two parties. However, the military observers had been denied access to certain operational areas by both parties even though the preliminary agreements concerning the status of UNIIMOG remained in effect. Moreover, as the withdrawal of forces to the internationally recognized boundaries had still not taken place, parts of the UNIIMOG mandate remained unimplemented. In the meantime, the Group continued to refine its plans for the supervision of the withdrawal, once it was agreed by the parties.

The Secretary-General also reported that he had made a major effort to explore in detail the positions of the Islamic Republic of Iran and Iraq with regard to the various elements of resolution 598 (1987) yet to be implemented. His Personal Representative's extended visit to the region in November 1989 had been aimed at encouraging both sides to focus on an agenda for a new phase of direct talks. Despite encountering some difficulties, he had concluded his visits to the two capitals by making a presentation of a possible programme of work, which he had outlined to both sides for their consideration. Following his envoy's visits, the Secretary-General had continued his own efforts, meeting separately with the two sides and emphasizing the need for appropriately structured direct talks under his auspices with a specific agenda based on his September report to the Security Council. However, in December 1989, it had seemed that progress would not be obtained without concrete support for his efforts by the members of the Council.

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<sup>6</sup> S/21200.

Against that background, the Secretary-General stated that the statement issued by the President of the Council on 27 February 1990 constituted an important step in the efforts aimed at implementing resolution 598 (1987). It was an indication of what the international community considered to be a reasonable way to proceed. The particular urgency of certain provisions in the resolution — those referring to withdrawal without delay, and to the release and repatriation of prisoners of war without delay — as well as the need to implement the resolution as a peace plan and as an integrated whole, had been fully recognized. After thus receiving the Council's support, the Secretary-General had presented to both sides a draft agenda for a new phase of direct talks to bring about the implementation of resolution 598 (1987). No final answer had yet been received from either Government, however. The Secretary-General believed that it was time for the leadership of the two countries to notify him of their acceptance of the proposed agenda and to give added political impetus to the talks by indicating to each other their sincerity and their determination to implement the resolution. In the meantime, he thought it was clear that UNIIMOG continued to play an indispensable part in ensuring the maintenance of the ceasefire and that its continued presence was an essential condition for further progress towards the full implementation of resolution 598 (1987). Therefore, and with the agreement of both parties, he recommended to the Council that the UNIIMOG mandate be extended for a further period of six months, until 30 September 1990.

At its 2916th meeting, on 29 March 1990, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and of Iraq, at their request, to participate in the discussion without the right to vote.

At the same meeting, the President (Democratic Yemen) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>7</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 651 (1990), which reads:

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<sup>7</sup> S/21217.

*The Security Council,*

*Recalling* its resolutions 598 (1987) of 20 July 1987, 619 (1988) of 9 August 1988, 631 (1989) of 8 February 1989 and 642 (1989) of 29 September 1989,

*Having considered* the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 22 March 1990, and taking note of the observations expressed therein,

*Decides:*

(a) To call once again upon the parties concerned to implement immediately its resolution 598 (1987);

(b) To extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of six months, that is, until 30 September 1990;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 598 (1987).

**Decision of 27 September 1990  
(2944th meeting): resolution 671 (1990)**

On 21 September 1990, pursuant to resolution 651 (1990), the Secretary-General submitted to the Security Council a report on UNIIMOG for the period from 23 March to 21 September 1990.<sup>8</sup> He reported that the withdrawal of forces to the internationally recognized boundaries had commenced on 17 August 1990, with the withdrawal of Iraqi forces. UNIIMOG had monitored the withdrawal, in accordance with its mandate. It had also continued to monitor the ceasefire and had endeavoured to obtain the agreement of the parties to other arrangements which, following the withdrawal, could help to reduce possible tensions and build confidence between them. In that regard, and in accordance with its mandate, the Group had proposed to both parties the establishment of areas of separation and of arms limitations along the internationally recognized boundaries. The Secretary-General observed that, although the withdrawal of all forces was now almost complete, there were a few locations where, in the view of UNIIMOG, the forces of each side remained on the wrong side of the internationally recognized boundaries. In those circumstances, he recommended the extension of the Group's mandate for a limited period of two months, until 30 November 1990, to permit it to complete its tasks related to the withdrawal and to allow time for the parties and the Council to judge whether there was a continuing

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<sup>8</sup> S/21803.

requirement for an impartial third party to monitor the ceasefire on the internationally recognized boundaries. During the extension phase, UNIIMOG would continue to verify, confirm and supervise the remaining stages of the withdrawal; help the parties to resolve any local tensions; and assist them in establishing an area of separation on each side of the border into which each party would agree not to deploy military forces. The Secretary-General also recommended a reduction in the strength of UNIIMOG since only about 60 per cent of the current military observer strength would be required to perform those tasks. He added that both parties had agreed to the proposed extension, and that it was his intention to initiate further consultations with them about the future of UNIIMOG early in November, after which he would submit his recommendations to the Council.

At its 2944th meeting, held on 27 September 1990, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and of Iraq, at their request, to participate in the discussion without the right to vote.

At the same meeting, the President (Union of Soviet Socialist Republics) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>9</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 671 (1990), which reads:

*The Security Council,*

*Recalling* its resolutions 598 (1987) of 20 July 1987, 619 (1988) of 9 August 1988, 631 (1989) of 8 February 1989, 642 (1989) of 29 September 1989 and 651 (1990) of 29 March 1990,

*Having considered* the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 21 September 1990, and taking note of the observations expressed therein,

1. *Decides* to extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of two months, that is, until 30 November 1990, as recommended by the Secretary-General;

2. *Requests* the Secretary-General to submit, during the period of November, a report on his further consultations with the parties about the future of the Military Observer Group, together with his recommendations on this matter.

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<sup>9</sup> S/21822.

**Decision of 28 November 1990 (2961st meeting): resolution 676 (1990)**

On 23 November 1990, the Secretary-General submitted to the Council a report on UNIIMOG for the period from 22 September to 20 November 1990.<sup>10</sup> The report comprised two parts. The first part was submitted pursuant to resolution 671 (1990), in response to the Council's request for a report on his further consultations with the parties about the future of UNIIMOG, together with his recommendations. It also described the Group's activities during the two-month period. The second part of the report, submitted pursuant to resolution 651 (1990), detailed the Secretary-General's efforts aimed at implementing resolution 598 (1987).

In the first part of his report, the Secretary-General noted that the two sides had almost completed the process of withdrawal to the internationally recognized boundaries. Despite some cases of local tension, there had been no serious incidents. UNIIMOG had concentrated its efforts on supervising, verifying and confirming the withdrawal of the two sides' forces and their assumption of new positions on or close to the border. It had also continued to promote the idea of an area of separation and an area of limitation of armaments on either side of the border as a means of building confidence and reducing the risk of incidents. Both sides had stated that they accepted the principle of an area of separation and that they were ready to enter into discussions about detailed arrangements for its establishment.

With regard to the future of UNIIMOG, the Secretary-General reported that both sides had agreed that during a renewed mandate period its tasks should be to resolve the remaining problems on the border; to try to arrange an exchange of information between the parties about unmarked minefields; and to assist the parties in negotiating and implementing an area of separation and an area of limitation of armaments. In his view, those tasks were appropriate ones for the United Nations — through UNIIMOG — to undertake; if successfully carried out, they would make an important contribution to the full implementation of resolution 598 (1987). He added that views had differed, however, on the length of the renewed mandate period and the strength of UNIIMOG. The Secretary-General himself had favoured extension for a

longer period than two months and reduction of UNIIMOG to a strength of 50 to 60 observers on each side. The Iraqi authorities had expressed a strong preference for the UNIIMOG mandate to be renewed for a full period of six months, with the Group remaining at its present strength. The Iranian authorities had initially expressed the view that, since important parts of resolution 598 (1987) had been almost completely implemented and progress had been made in recent months in the bilateral relationship between the two parties, it was doubtful whether there was a continuing need for third-party involvement. However, after detailed discussion, the Islamic Republic of Iran had agreed that the mandate of UNIIMOG should be renewed, but with a reduced strength of 50 to 60 military observers on each side and for a period of only two months. In those circumstances the Secretary-General recommended that the Council extend the Group's mandate for a further period of two months, until 31 January 1991, with a strength not exceeding 120 military observers, plus the necessary support personnel, and with the tasks described above.

In the second part of his report, the Secretary-General described his efforts to bring about full implementation of resolution 598 (1987). He reported that on 3 July 1990 he had been able to convene a joint meeting of the Foreign Ministers of the Islamic Republic of Iran and Iraq, providing the first opportunity for direct contact between the two Ministers since April 1989. Both sides had reaffirmed their commitment to the implementation of resolution 598 (1987), which remained the framework within which all contacts between the two sides were taking place, as well as their support for the role of the Secretary-General in that connection. Bilateral contacts had continued and, in October, the two Governments had re-established diplomatic relations. Both sides had also begun to repatriate their prisoners of war, as required by the resolution.

The Secretary-General observed that when the Council adopted its mandatory resolution on the conflict between the Islamic Republic of Iran and Iraq, it was clear that its ultimate aim was the re-establishment of good-neighbourly relations and the enhancement of the security and stability of the region. While important parts of the resolution had been implemented, the fundamental change in the relations between the two countries had come at a time of new

<sup>10</sup> S/21960.

crisis for the region. As contacts continued between the two Governments to put their relations on a normal footing, it appeared that paragraph 8 of the resolution — in which the Secretary-General was requested to examine, in consultation with the Islamic Republic of Iran and Iraq and with other States of the region, measures to enhance the security and stability of the region — should at an appropriate time be looked at anew. It seemed to the Secretary-General that full implementation of resolution 598 (1987) could well contribute to a marked improvement of the situation in the region as a whole. He therefore intended, as appropriate, to remain in close touch with the Governments concerned with regard to the yet unimplemented paragraphs of the resolution.

At its 2961st meeting, on 28 November 1990, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and Iraq, at their request, to participate in the discussion without the right to vote.

At the same meeting the President (United States) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>11</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 676 (1990), which reads:

*The Security Council,*

*Recalling* its resolutions 598 (1987) of 20 July 1987, 619 (1988) of 9 August 1988, 631 (1989) of 8 February 1989, 642 (1989) of 29 September 1989, 651 (1990) of 29 March 1990 and 671 (1990) of 27 September 1990,

*Having considered* the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 23 November 1990, and taking note of the observations expressed therein,

1. *Decides* to extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of two months, that is, until 31 January 1991, as recommended by the Secretary-General;

2. *Requests* the Secretary-General to submit, during January 1991, a report on his further consultations with the parties about the future of the Military Observer Group, together with his recommendations on this matter.

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<sup>11</sup> S/21970.

### **Decision of 31 January 1991 (2976th meeting): resolution 685 (1991)**

On 29 January 1991, pursuant to resolution 676 (1990), the Secretary-General submitted to the Security Council a report on UNIIMOG for the period from 21 November 1990 to 27 January 1991, together with his recommendations on its future.<sup>12</sup> He stated that the activities of the Group had been considerably affected by developments in the Gulf region.<sup>13</sup> The outbreak of hostilities in the area had effectively prevented UNIIMOG from continuing its operations in Iraq and all UNIIMOG personnel in the country had been temporarily relocated. The Secretary-General observed that the general situation along the internationally recognized boundaries had remained very calm during the mandate period. At a technical meeting of military experts on 6 January 1991, the two parties had reached agreements on the outstanding questions relating to the UNIIMOG mandate: the question of disputed positions along the internationally recognized boundaries; the exchange of information on minefields; and the establishment of an area of separation along the internationally recognized boundaries. The Secretary-General stated that the agreements were fully consistent with the Group's mandate and provided for the Group to monitor their implementation within a specified time frame. He observed that they constituted a very useful development in the efforts towards the successful completion of the remaining tasks of UNIIMOG. Although implementation of the agreements had not proceeded fully according to schedule, that was due to the outbreak of hostilities in the area, not to lack of commitment on either side. Indeed, both sides had given firm indications to UNIIMOG that they remained determined to implement fully in due course the arrangements agreed upon on 6 January. They had also confirmed to the Secretary-General that they would continue to count on the presence and assistance of UNIIMOG for that purpose. Notwithstanding current security considerations and their unavoidable effect on operational effectiveness, the Secretary-General was of the view, shared by the two parties, that the UNIIMOG mandate should be extended so that the Group could

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<sup>12</sup> S/22148.

<sup>13</sup> For the Council's proceedings in relation to those developments, see also in this chapter the section entitled "Items relating to the situation between Iraq and Kuwait" (sect. 22).

fulfil completely its important responsibilities. However, pending clarification of the situation in the area, the extension would have to be for a brief period. He therefore recommended that the Council extend the mandate of UMIIMOG for a further period of one month, until 28 February 1991.

The Secretary-General observed further that the implementation of paragraphs 1 and 2 of resolution 598 (1987), demanding a ceasefire and troop withdrawal under United Nations supervision, was very close to completion. Progress had also been made in the fulfilment of paragraph 3, calling for the repatriation of prisoners of war, and paragraph 4, calling on the parties to deal with other outstanding issues. What remained to be implemented were other paragraphs in which the role requested of the Secretary-General was mainly a political one. Paragraph 8, in particular, by which he was requested to examine, in consultation with the Islamic Republic of Iran and Iraq and with other States of the region, measures to enhance the security and stability of the region, had taken on added significance in the current circumstances. The Secretary-General informed the Council that he would consult, at the appropriate time, with both sides on the manner in which he intended to pursue his task in that regard. He expressed the hope that the agreements recently reached at the military level would be fully implemented in the weeks ahead, making it possible to focus more directly on the work required to implement the remaining paragraphs of the resolution.

At the 2976th meeting, on 31 January 1991, prior to the adoption of the agenda, which included the item entitled "The situation between Iran and Iraq", the representative of Cuba made a statement. He stated that, while his delegation considered it appropriate for the Council to meet at that time to renew the mandate of UNIMOG and to support the Group fully in discharging its responsibilities, it could not vote in favour of the provisional agenda without voicing its deep dissatisfaction that the Council had not been able to consider a serious problem, of concern to the entire world, which was obviously its most basic obligation to take up. The speaker noted that, despite the fact that for more than one week a group of members of the Council had been asking for a meeting on an urgent basis and that two members of the Council had requested that it meet to consider the war situation that currently existed in the region, thus far the Council had not done so, notwithstanding the clear and categorical

provisions in its provisional rules of procedure. In agreeing to consider now the item "The situation between Iran and Iraq", the Cuban delegation also wished to express its view that the Council had a basic obligation to fulfil in connection with the war situation prevailing in the Gulf: namely, the obligation to consider, discuss and hear the ideas and proposals Member States wished to put forth.<sup>14</sup>

The Council members held a procedural discussion on the appropriateness of making such a statement before the adoption of the agenda.<sup>15</sup>

The Council then proceeded to adopt the agenda, which included the report of the Secretary-General. Following the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and of Iraq, at their request, to participate in the discussion without the right to vote.

At the same meeting, the President (Zaire) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>16</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 685 (1991), which reads:

*The Security Council,*

*Recalling* its resolutions 598 (1987) of 20 July 1987, 619 (1988) of 9 August 1988, 631 (1989) of 8 February 1989, 642 (1989) of 29 September 1989, 651 (1990) of 29 March 1990, 671 (1990) of 27 September 1990 and 676 (1990) of 28 November 1990,

*Having considered* the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 28 January 1991, and taking note of the observations expressed therein,

1. *Decides* to extend the mandate of the United Nations Iran-Iraq Military Observer Group for a further period of one month, that is, until 28 February 1991, as recommended by the Secretary-General;
2. *Requests* the Secretary-General to submit, during February 1991, a report on his further consultations with the parties about the future of the Group, together with his recommendations on this matter.

Following the adoption of the resolution, the representative of Yemen stated that the chapter on the

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<sup>14</sup> S/PV.2976, pp. 2-3.

<sup>15</sup> For the discussion regarding rules 2, 9 and 30 of the provisional rules of procedure, see chapters I and II.

<sup>16</sup> S/22171.



conflict between the Islamic Republic of Iran and Iraq was closing just as the situation in the region was deteriorating because of the major war operations now taking place in accordance with Security Council resolution 678 (1990). He recalled that, on 23 January, the countries of the Arab Maghreb had called for a Council meeting to debate the situation and that, on 24 January, as his country's representative in the Council, he had put forward a similar request. He found it most regrettable that, for the first time in the history of the Council, a request of that kind, made in accordance with rule 2 of the Council's provisional rules of procedure, had not been accepted. The speaker cautioned that the war in the Gulf might lead to a crisis in the Council and to paralysis of its work. His delegation put forward this problem because it strongly believed that the Council must always stand against war, particularly since the current war operations had gone beyond Yemen's view of resolution 678 (1990); they were more like an attempt to destroy the military and scientific infrastructure of Iraq than an attempt to liberate Kuwait. Yemen recognized the need for Iraq to withdraw from Kuwait and for Kuwait's full sovereignty to be restored. The speaker called upon the current President of the Council and the President for the following month speedily to consider his country's request for a meeting so that the Council could, openly, take the appropriate measures.<sup>17</sup>

The representative of Cuba pointed out that the Secretary-General, in paragraph 19 of his report,<sup>18</sup> had referred to the real war in the region, which directly affected the compliance of UNIIMOG with its mandate. He drew the attention of the Council members to the fact that it did not serve the Council's interests that it had not yet been able to meet to perform a clear duty spelled out in its provisional rules of procedure: to preserve future generations from the scourge of war and to do whatever could be done for peace. The speaker stated further that the members of the Council should not be deprived of the right under the Charter to be heard. Above all, the Council should not be placed in a situation in which it could be found to be ignoring the norms governing its activities.<sup>19</sup>

The President (Zaire), in reply to the representative of Yemen, stated that he had duly applied rule 2 of the provisional rules of procedure and

had received a mandate from all members of the Council to conduct consultations. It was clearly understood, he added, that the members of the Council were unanimous in supporting the principle of convening a formal meeting of the Council. He had therefore received a mandate to consult to agree on the date of that meeting.<sup>20</sup>

**Decision of 28 February 1991: letter from the President of the Security Council to the Secretary-General**

On 26 February 1991, pursuant to resolution 685 (1991), the Secretary-General submitted to the Security Council a report on UNIIMOG for the period from 28 January to 25 February 1991, together with his recommendations on its future.<sup>21</sup> He noted that the general situation along the internationally recognized boundaries had remained very calm during the mandate period. Because of the temporary relocation of the UNIIMOG Baghdad observers in January, the Group had continued to monitor the boundaries from the Iranian side only. The parties had continued to implement the agreements reached during their technical meeting on 6 January 1991, and UNIIMOG had provided assistance in that process. The withdrawal of the two sides' forces to the internationally recognized boundaries had been completed, enabling UNIIMOG to complete verification and confirmation of the withdrawal in accordance with its mandate. There remained the question of establishing an area of separation and an area of limitation of armaments which, pending negotiation of a comprehensive settlement, could help to reduce tension and build confidence between the parties. Both sides had informed UNIIMOG that they had begun — and, in the case of Iraq, had completed — the establishment of the area of separation envisaged in the 6 January agreements. However, owing to the temporary suspension of its operations in Iraq and because of the increased restrictions on its freedom of movement in the Islamic Republic of Iran, the Group had not been in a position to confirm this on the ground.

The Secretary-General concluded that the time had come to consider paragraphs 1 and 2 of resolution 598 (1987) as implemented and to move forward by

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<sup>17</sup> S/PV.2976, pp. 11-12.

<sup>18</sup> S/22148.

<sup>19</sup> S/PV.2976, pp. 12-13.

<sup>20</sup> *Ibid.*, pp. 13-14.

<sup>21</sup> S/22263.

converting the United Nations presence in the two countries into one, which would more appropriately assist him in carrying out the remaining tasks entrusted to him by other paragraphs of that resolution. Those tasks were essentially political rather than military and the Secretary-General had therefore informed the parties of his intention to recommend to the Council that UNIIMOG should be replaced by small civilian offices. The offices at Baghdad and Tehran would, however, include a few military observers who would be available to investigate and help to resolve any difficulties of a military nature that might arise on the border. He accordingly recommended that the Council take no action to extend the UNIIMOG mandate, which would come to an end on 28 February 1991. He added that he would shortly send the President of the Council a letter elaborating on his intention to establish small civilian offices in the area. Meanwhile, UNIIMOG personnel would be withdrawn as soon as possible, except for those who would be required for the proposed civilian offices.

By a letter dated 26 February 1991 addressed to the President of the Security Council,<sup>22</sup> the Secretary-General referred to his report of 29 January 1991 on UNIIMOG,<sup>23</sup> in which he had stated that, after the implementation of paragraphs 1 and 2 of resolution 598 (1987) had been completed, he intended to begin contacts with the parties on the manner in which he would pursue the other tasks entrusted to him by that resolution. He reiterated that those tasks envisaged a political role by the Secretary-General. In particular, some of the remaining paragraphs of the resolution required him to explore certain issues in consultation with the Islamic Republic of Iran and Iraq. Another paragraph requested him to examine, in consultation with those two countries as well as with other States of the region, measures to enhance the security and stability of the region. Such tasks, in his opinion, would be facilitated by the establishment in the region — particularly in the Islamic Republic of Iran and Iraq — of civilian offices, which would help him to carry out his work and to have a better assessment of developments in the area. For the reasons stated in his report of 26 February 1991 on UNIIMOG, he had decided to recommend that the mission's mandate not be extended. At the same time, he thought that the continued presence of a few military observers

attached to those civilian offices which would be located in the Islamic Republic of Iran and Iraq would allow the Organization to respond promptly to any request from the parties to investigate matters for which military expertise would be required. The Secretary-General trusted that these arrangements would meet with the concurrence of the members of the Council.

By a letter dated 28 February 1991,<sup>24</sup> the President of the Security Council informed the Secretary-General as follows:

I have the honour to inform you that your letter dated 26 February 1991 was brought to the attention of the members of the Security Council, who considered the matter in consultations held on 27 February 1991.

The members of the Council agreed with the observations and recommendations contained in the report of 26 February 1991 on the United Nations Iran-Iraq Military Observer Group for the period 28 January 1991 to 25 February 1991 and concurred with the arrangements proposed in the report and the letter.

The members of the Council express their gratitude to you personally and their appreciation to the members of the Group on the successful completion of their important task.

By a letter dated 23 May 1991 addressed to the President of the Security Council,<sup>25</sup> the Secretary-General stated that, following his last report on UNIIMOG<sup>26</sup> and the follow-up exchange of letters,<sup>27</sup> he had continued his efforts towards the full implementation of resolution 598 (1997). In that context, he wished to inform the Council that, pursuant to the mandate entrusted to him by paragraph 7 of that resolution, and in consultation with the Government of the Islamic Republic of Iran, he had assigned a team of experts to make an exploratory visit to that country towards the end of May, to study the question of reconstruction. It was anticipated that the team would remain in the area for an initial period of two to three weeks. The Secretary-General added that, in the implementation of this mandate, he was also in contact with the Government of Iraq.

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<sup>24</sup> S/22280.

<sup>25</sup> S/22637.

<sup>26</sup> Dated 26 February 1991 (S/22263).

<sup>27</sup> Letter dated 26 February 1991 from the Secretary-General addressed to the President of the Security Council (S/22279) and letter dated 28 February 1991 from the President of the Security Council addressed to the Secretary-General (S/22280).

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<sup>22</sup> S/22279.

<sup>23</sup> S/22148.