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Date

17/11/2006

Time

12:43:55 PM

Login Name Souleymane Soukouna



S-0042-0001-054-00018

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Title

**Item-in-KAA: OLA Office of Legal Affairs ( Oct. - Dec) 2001**

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Home Location **S-0042-0001-054 (In Container)**

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INTEROFFICE MEMORANDUM

MEMORANDUM INTERIEUR

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TO: The Secretary-General

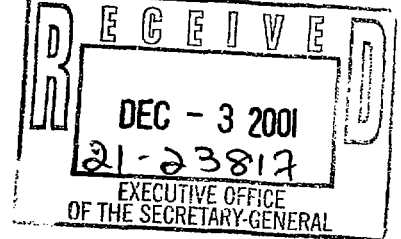
DATE: 3 December 2001

A:

THROUGH: Mr. Iqbal Riza  
S/C DE: Chef de Cabinet

FROM: Hans Corell, Under-Secretary-General  
DE: for Legal Affairs  
The Legal Counsel

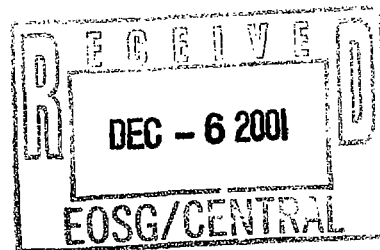
REFERENCE:



SUBJECT: Extension of the Memorandum of Understanding on the  
OBJET: implementation of Security Council resolution 986  
(1995)

I wish to inform you that Ambassador Aldouri of Iraq and I have concluded today an exchange of letters, which are dated 1 December 2001 as requested by the Iraqi Ambassador, for the renewal of the Memorandum of Understanding on the implementation of Security Council resolution 986 (1995), extending, effective 1 December 2001, its application for a new period of 180 days in accordance with paragraph 1 of Security Council resolution 1382 (2001) of 29 November 2001.

I am attaching a copy of the letters exchanged. I am also attaching, under separate cover, for your approval and signature, a letter of transmittal of the exchange of letters to the President of the Security Council.





LE SECRÉTAIRE GÉNÉRAL

Le 5 décembre 2001

Monsieur le Président,

J'ai l'honneur de vous communiquer ci-joint, en vous priant de bien vouloir en saisir également les membres du Conseil de sécurité, le texte des lettres que le Secrétariat de l'ONU et la Mission permanente de l'Iraq auprès de l'Organisation ont échangées, suite à l'adoption par le Conseil de la résolution 1382 (2001) du 29 novembre 2001, à l'effet de proroger pour une nouvelle période de 180 jours commençant le 1er décembre 2001 le Mémorandum d'accord du 20 mai 1996 concernant l'application de la résolution 986 (1995).

Veuillez agréer, Monsieur le Président, les assurances de ma très haute considération.

A handwritten signature in black ink, appearing to read 'K. Annan'.

Kofi A. Annan

Son Excellence  
Monsieur Moctar Ouane  
Président du Conseil de sécurité  
New York

**Permanent Mission of the  
Republic of Iraq to the  
United Nations**

14 East 79<sup>th</sup> Street, New York, N.Y. 10021  
Tel: 212-737-4433 - Fax: 212-772-1794



ممثلة جمهورية العراق الدائمة  
لدى الامم المتحدة  
نيويورك

MRN 349

N.Y. 1 December 2001

Excellency

I have the honor to inform you that the Government of the Republic of Iraq has agreed to the proposal contained in your letter of 1 December 2001 for the extension of the provisions of the Memorandum of Understanding between the Secretariat of the United Nations and the Government of the Republic of Iraq of 20 May 1996 for an additional period of (180) days effective 1 December 2001. In this connection the Government of the Republic of Iraq wishes to confirm its position that it is not concerned with or committed to any resolutions, arrangements, measures, concepts or orientations not provided for in the Memorandum of Understanding between the Secretariat of the United Nations and the Government of the Republic of Iraq of May 20 1996 or not agreed upon by the Government of Iraq, and that the last sentence of your letter expresses the position of the Secretariat of the United Nations.

Accept, Excellency, the assurance of my highest consideration.

Dr. Mohammed Aldouri  
Ambassador  
Permanent Representative of Iraq  
to the United Nations

His Excellence Mr. Hans Corell  
Under – Secretary- General  
For Legal Affairs  
The United Nations  
New York

# United Nations Nations Unies

HEADQUARTERS • SIEGE NEW YORK, NY 10017

TEL.: 1 (212) 963.1234 • FAX: 1 (212) 963.4879

1 December 2001

Dear Mr. Ambassador,

I have the honour to refer to resolution 1382 (2001), adopted by the Security Council on 29 November 2001, by which the Council decided *inter alia*, that the relevant provisions of resolution 986 (1995) will remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 1 December 2001. I should also like to refer to an exchange of letters between the Secretariat of the United Nations and the Permanent Mission of Iraq to the United Nations dated 5 July 2001 extending, in the light of Security Council resolution 1360 (2001) of 3 July 2001, the Memorandum of Understanding of 20 May 1996 between the Secretariat of the United Nations and the Government of Iraq on the implementation of Security Council resolution 986 (1995) for a period of 150 days, effective 4 July 2001.

In view of the foregoing, I have the honour to propose that the provisions of the Memorandum of Understanding of 20 May 1996 be extended for an additional period of 180 days, effective 1 December 2001.

It is understood that the Distribution Plans which have already been approved but have not yet been implemented shall continue to apply for goods purchased with oil revenues generated under the respective Security Council resolutions.

His Excellency  
Mr. Mohammed Aldouri  
Permanent Representative of Iraq  
to the United Nations  
New York

If your Government agrees to this proposal, I suggest that this letter, and your reply thereto, shall constitute an agreement between the Secretariat of the United Nations and the Government of Iraq. This, however, does not apply to the second sentence of your reply, which is a unilateral statement by the Government concerning matters outside the scope of the mandate of the Secretariat in relation to the present exchange of letters, and which, furthermore, as we understand it, does not affect the nature of the applicable resolutions adopted in accordance with relevant provisions of the Charter of the United Nations.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Hans Corell', with a stylized flourish at the end.

Hans Corell  
Under-Secretary-General  
for Legal Affairs  
The Legal Counsel