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COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning part one of the seventeenth instalment of individual claims for damages above USD 100,000 (category “D” claims) taken by the Governing Council of the United Nations Compensation Commission at its 131st meeting, on 18 September 2003

The Governing Council,

Having received, in accordance with article 38 of the Provisional Rules for Claims Procedure (“the Rules”), the report and recommendations made by the “D1” panel of Commissioners concerning part one of the seventeenth instalment of individual claims for damages above USD 100,000 (category “D” claims), covering 382 claims,¹

1. Approves the recommendations made by the panel of Commissioners, and, accordingly,
2. Decides, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the claims covered in the report. The aggregate amounts awarded per country, based on the recommendations contained in the annex to the report, are as follows:

¹ The text of the report appears in document S/AC.26/2003/17. In conformity with the provisions on confidentiality in the Rules (article 30, paragraph 1, and article 40, paragraph 5), information concerning the amount to be paid to each individual claimant will not be made public, but will be provided to each respective Government separately.

<u>Country</u>	<u>Number of claims recommended for payment</u>	<u>Number of claims not recommended for payment</u>	<u>Amount of compensation claimed (USD)</u>	<u>Amount of compensation recommended (USD)</u>
Egypt	-	1	1,109,324.76	0.00
India	14	3	5,470,159.71	843,307.08
Israel	1	-	2,710,000.00	461,834.96
Jordan	83	14	50,903,415.21	11,985,519.74
Kuwait	230	1	457,779,720.16	93,829,178.17
Lebanon	5	1	1,821,672.79	722,024.09
Pakistan	11	-	7,414,251.07	2,173,118.56
Saudi Arabia	3	10	10,829,356.54	414,196.29
United Kingdom	-	1	45,627.38	0.00
United States	1	-	2,841,025.00	1,289,548.80
Yemen	1	-	551,494.43	175,705.23
<u>Total</u>	349	31	541,476,047.05	111,894,432.92

3. Notes that, as referred to in paragraph 3 of the report, two claims were withdrawn by claimants in the course of the Panel's review of this instalment,

4. Reaffirms that when funds become available payments shall be made in accordance with decision 197 (S/AC.26/Dec.197 (2003)), except for the portion of one claim (claim number 3003017) for which payment is suspended in the amount of USD 41,242.21. This claim was brought to the attention of the Governing Council by the "D1" panel of Commissioners in paragraphs 12 to 17 of its report and recommendations and relates to previously paid category "C" claim number 885348. The Governing Council instructs the secretariat to notify the responsible Government or submitting entity to consider appropriate action to recover the amount of USD 41,242.21 from the category "C" claimant and return it to the Compensation Fund,

5. Decides also, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning the three category "A" claims, in the amount of USD 7,500, and the nine category "C" claims, in the amount of USD 231,370.77 submitted by the Government of Lebanon, covered in the report,

6. Reaffirms that when funds become available payments shall be made in accordance with decision 197 (S/AC.26/Dec.197 (2003)),

7. Recalls that when payments are made in accordance with decision 197, and pursuant to the terms of decision 18 (S/AC.26/Dec.18 (1994)), Governments shall distribute amounts received to the designated claimants in respect of approved awards within six months of receiving payment, and

shall, not later than three months after the expiration of this time limit, provide information on such distribution,

8. Requests the Executive Secretary to provide a copy of the report to the Secretary-General, to the Government of the Republic of Iraq and to each respective Government.
