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OFFICE OF THE IRAQ PROGRAMME - BUREAU CHARGE DU PROGRAMME IRAQ

THE EXECUTIVE DIRECTOR
DIRECTEUR EXECUTIF

REF: ED/2004/Cotecna/1

2 April 2004


Dear Mr Pruniaux,


With the transfer of the Oil-for-Food Programme (the "Programme") to the Coalition Provisional Authority pursuant to Security Council resolution 1483 (2003) now having been completed, and in light of the Secretary-General's proposal to establish an independent inquiry into certain aspects of the Programme, the UN may require access to records maintained by Cotecna in connection with its contracts with the United Nations. In this regard, we refer to Article 13.1 of the General Conditions to these contracts, which provides as follows: "All maps, drawings, photographs, mosaics, plans, reports, recommendations, estimates, documents and all other data compiled by or received by the Contractor under this Contract shall be the property of the United Nations, shall be treated as confidential and shall be delivered only to United Nations authorized officials on completion of work under this Contract."

Accordingly, Cotecna should retain and safeguard all records relating to the services rendered by Cotecna pursuant to its contracts with the United Nations and be prepared to provide them to the United Nations promptly upon request.

Your cooperation with the foregoing is greatly appreciated.

Sincerely,


Benon V. Sevan
Under Secretary General


Mr Andre Pruniaux
Senior Vice President
58 Rue de la Terrasserie
Case postale 6155
CH-1211 Geneva
Switzerland

03/04/04

By fax

United Nations
Office of the Iraq Programme

To the attention of
Mr. Benon V. Sevan
Under Secretary General

Fax No: 1 212 - 963.59.47 / 963.80.83

Our ref.:023/AEP/jb

Geneva, 13 April 2004

Dear Mr. Sevan:

Following up on our letter dated 8 April 2004, we are writing to consult with you on a plan of action of how to respond to and communicate with other U.S. governmental authorities investigating the Oil for Food Programme. In addition to the U.S. Congressional hearings mentioned in our letter, Cotecna has been contacted telephonically by the U.S. House of Representatives Subcommittee on Middle East and Central Asia seeking to discuss the Programme and Cotecna's role. We suspect it is likely that we will be receiving similar requests in the near future.

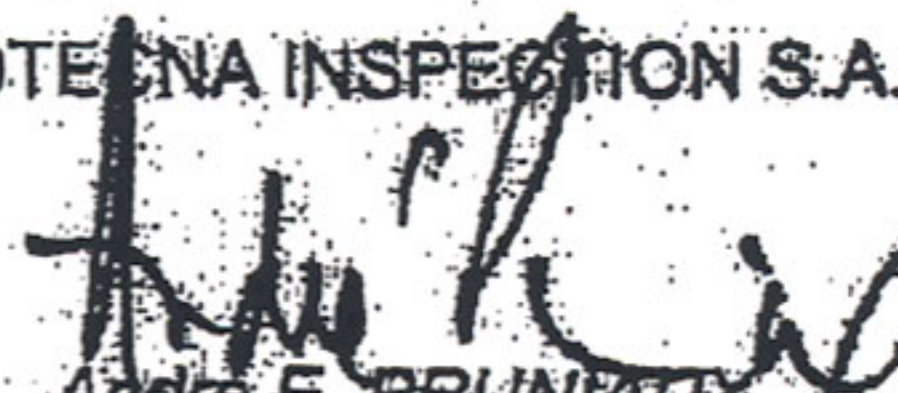
As expressed in our earlier letter to you, Cotecna wishes to abide by its contractual obligations set forth in Article 13.1 and 13.2 to maintain the confidentiality of documents and information "compiled by or received by" Cotecna under the contract and to avoid improper communications. At the same time, Cotecna is cognizant of the false perceptions that might be created if it fails to cooperate with other official investigations or inquiries of the Programme.

At this juncture, we believe it would be most beneficial to all involved to respond to such requests by authorities in order to explain Cotecna's limited, technical role in the Programme, thereby dismissing any suggestion of impropriety in recent reports by the media. However, we are also concerned about the constraints of Article 13.1 and 13.2 regarding confidentiality of documents and information and proscribing certain communications. Because we believe that it is in the best interest of all concerned to cooperate and share relevant information with these governmental authorities to definitively establish the facts in this matter, we respectfully suggest that a formal waiver of the requirements set forth in Article 13.1 and 13.2, be given to Cotecna for the Oil-For-Food data bases (which include all transactions received from UN-OIP and authenticated by Cotecna since 01 February 1999). This waiver should also cover the structure and payment procedures of our fees invoiced to the UN as well as the related payments received by Cotecna up to 21 November 2003. This would allow Cotecna to communicate with such authorities and provide such information. Because of the urgency of this matter, we respectfully request your immediate attention.

Should you require any further information, please do not hesitate to contact the undersigned.

Yours sincerely,

COTECNA INSPECTION S.A.



Andre E. PRUNIAUX
Senior Vice President