

FOREWORD

The United Nations Compensation Commission set up by the Security Council in 1991 in the aftermath of the Gulf War is the first example of an international mechanism geared to process a massive amount of claims involving millions of individuals.

Over 2.6 million claims have been filed with the Commission. Their total asserted value is approximately 250 billion United States dollars. As at 1st July 1998 approximately 2.5 million claims in all categories have been reviewed by the Panels of Commissioners and decided upon by the Governing Council. Compensation for a total amount of 7 billion United States dollars has been awarded. Priority was given to the claims involving high numbers of indigent claimants. This underscores the social dimension of the Commission's approach. It also implies that the most delicate claims – where the mass processing approach is, in part at least, replaced by an approach closer to traditional dispute-settlement – are just beginning to be considered.

Ever since 1991 and increasingly after the early reports of Panels of Commissioners in 1994 up to the full growth of the Commission's activity in the following years, the United Nations Compensation Commission has been a challenge to the imagination of international lawyers, combining tradition and innovation in many fields.

The special characteristics of the Commission, the legal peculiarities of the proceedings before the Panels of Commissioners entrusted with the examination of the claims, the peculiar role of the Secretariat and also the particular manner in which traditional questions of international law are envisaged, all depend, in whole or to a considerable extent, on the mass character of the problems the Commission was set up to solve.

It has seemed important to put together all the relevant documents in a systematic way, and to study the impact the Commission has on the development of public international law in general and on the law of the settlement of international claims in particular. We are grateful for the support given to this endeavour by the Consiglio Nazionale delle Ricerche, the Italian Council for Scientific Research.¹

Milan, January 1999

¹ Contributo n. 95.04235.CT09