CHAPTER 311

MALTA-LIBYA TREATY OF FRIENDSHIP AND CO-OPERATION (RATIFICATION) ACT

To ratify the Treaty of Friendship and Co-operation between Malta and Libya.

(7th December, 1984)*

Enacted by ACT XXII of 1984, as amended by Act XXIII of 1990.

Short title.

1. This Act may be cited as the Malta-Libya Treaty of Friendship and Co-operation (Ratification) Act.

Ratification of Treaty.
Amended by: XXIII.1990.2.

2. The Treaty of Friendship and Co-operation between the Government of the Republic of Malta and the Socialist People's Libyan Arab Jamahiriya, signed on the 19th November, 1984 and the Protocol on co-operation in security signed on the same day, both documents contained in the First Schedule to this Act, and the Agreement between the Government of the Republic of Malta and the Socialist People's Arab Jamahiriya concerning Amendments relative to the same treaty and signed on the 19th February, 1990, which Agreement is contained in the Second Schedule to this Act, being international agreements which concern the status of Malta under international law, the support of such status and the security of Malta, its sovereignty and territorial integrity, are hereby ratified for all intents and purposes of the Ratification of Treaties Act, and the exchange of the instruments of ratification between the Republic of Malta and the Socialist People's Libyan Arab Jamahiriya is therefore hereby authorised.

Cap. 304.

**See* Government Notice No. 985 of the 7th December, 1984.

Amended by:
XXIII. 1990.3.

FIRST SCHEDULE
[SECTION 2]

TREATY
OF FRIENDSHIP AND CO-OPERATION

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF MALTA
AND THE SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA

The Government of the Republic of Malta,

and

The Socialist People's Libyan Arab Jamahiriya

1. On the basis of their desire to preserve the bonds of friendship and the strategical relationship which exists between them, and their willingness for the consolidation and development of the relation of co-operation on the basis of mutual benefit and welfare of the Maltese people and the Libyan Arab people,

2. Desirous of turning the Mediterranean into a lake of peace and of co-operating to achieve this end,

3. Taking into consideration the decision of the People of the Republic of Malta to shed forever the harmful and humiliating role of a foreign military base and to become instead a bridge of friendship between Europe and North Africa,

4. Resolve by this Treaty to strengthen mutual security, friendship and co-operation between the two countries, in conformity with the principles of non-alignment and the Charter of the United Nations and therefore agree as follows:

Article 1

The Socialist People's Libyan Arab Jamahiriya and the Republic of Malta undertake not to participate in any Military Alliance which may affect the security interests of the other side.

Article 2

Malta undertakes not to allow foreign military bases to be established on its territory and undertakes not to allow its territory to be used militarily against the security, territorial integrity of the Socialist People's Libyan Arab Jamahiriya.

Article 3

The Socialist People's Libyan Arab Jamahiriya undertakes to respect and support Malta's neutrality and will assist Malta whenever the Government of the Republic of Malta explicitly requests so in cases of threats or acts of aggression against Malta's territorial integrity and sovereignty.

Article 4

In view of the importance of Malta's economic viability it is agreed that economic co-operation will be promoted in the fields of joint ventures, balanced commercial exchanges, and the utilisation of Maltese labour. For this purpose, agreements in the fields of defence, information and economy will form an integral part of this Treaty.

Article 5

The two sides will work towards the development of co-operation between them in the information and cultural fields with the aim of achieving stronger bonds between

the two peoples.

Article 6

The two sides will hold consultations aiming at harmonising their viewpoints on political, economic, security and international issues which affect their interests whether directly or indirectly, and will endeavour to support one another's viewpoints whenever this mutual support is required.

Article 7

The two sides will do their utmost to coordinate their efforts in the preservation of international peace and security, especially in the Mediterranean region, and emphasise their faithful adherence to the principles and goals of the United Nations and Non-Alignment.

Article 8

The two sides agree to set up a Mixed Commission which shall meet at Ministerial level alternately in Valletta and Tripoli, at least once every six months, to review progress in the above fields of co-operation and to plan and see to the implementation of co-operation in new sectors.

Article 9

Any differences between the two sides which may arise from the interpretation of these provisions will be settled in a brotherly manner.

Article 10

The duration of this "Treaty" shall be five years renewable automatically for further five-year periods so long as none of the two sides express a desire in writing to adjust it or abrogate it six months at least before its expiration date.

Article 11

This Treaty will come into force with immediate effect on the date of the exchange of the instruments of ratification but not later than January 1985.

Done in Valletta on the nineteenth day of November One Thousand Nine Hundred and Eighty Four corresponding to the 25 Safar 1394 in two originals in the English and Arabic Languages both texts being equally authentic.

Colonel Muammar El Gaddafi
Leader of the First of September Revolution
For the Socialist People's Libyan Arab Jamahiriya

Dom Mintoff
Prime Minister
For the Republic of Malta

PROTOCOL ON CO-OPERATION IN SECURITY

Having regard to Article 3 of the Treaty of Friendship and co-operation between the Government of the Republic of Malta and the Socialist People's Libyan Arab Jamahiriya, signed in Malta on the 19th November, 1984, the two sides further agree as follows:

1. In order that each side may be fully informed on matters pertaining to this agreement, the two sides agree that there should be a continuous exchange of information on matters of special interest to the mutual security and defence

purposes of the other side; and

2. In order to enable the Maltese Armed Forces to reach higher standards of military preparedness to be able to withstand threats or acts of aggression against Malta's territorial integrity and sovereignty the Libyan side shall train Maltese military personnel in Libya or in Malta as the two sides may agree from time to time and in the numbers and modalities that may be agreed upon.

3. To meet the requirements of the Maltese Armed Forces which will be identified from time to time by the different sections of the Maltese forces, the Libyan side agreed to study supplying from their armouries and stores any military equipment and armaments which the Maltese side may require for their own use.

Dr Alex Sciberras Trigona Minister of Foreign Affairs and Culture of the Republic of Malta	Dr Ali Treiki Secretary of the People's Bureau for Foreign Liaison of the Socialist People's Libyan Arab Jamahiriya

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Added by:
XXIII. 1990.3.

SECOND SCHEDULE

[SECTION 2]

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF MALTA AND THE SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA CONCERNING AMENDMENTS TO THE TREATY OF FRIENDSHIP AND CO-OPERATION SIGNED BETWEEN THE TWO COUNTRIES ON 25 SAFAR 1394 D.P. CORRESPONDING TO 19 NOVEMBER 1984.

The Government of the Republic of Malta, having expressed its desire to amend some articles of the Treaty of Friendship and Co-operation between Malta and Libya signed in Valletta on 25 Safar 1394 D.P., corresponding to 19 November 1984,

and the Great Socialist People's Libyan Arab Jamahiriya having responded to this desire,

and both sides, having reviewed the provision of this Treaty,

and in the implementation of the tenth article of the said Treaty,

have agreed as follows:

Article (1)

The text of the preamble of the treaty is to be amended to read as follows:

"The Government of Malta and the Great Socialist People's Libyan Arab Jamahiriya,

in confirmation of the strong bonds which exist between the two countries and desirous to foster and develop co-operation in various fields on the basis of their mutual interest with the aim of promoting the welfare of their friendly peoples;

conscious of the fact that development and co-operation can best flourish in an atmosphere of peace and security, and that both countries can play a positive role in this respect, on the basis of the United Nations Charter and the principles of non-

alignment;

and to underline their policies which are built on neutrality, rejection of foreign military bases on their territory, as well as membership in military alliances, and in confirmation of their mutual concern for the security and peace in the world in general and the Mediterranean in particular;

have agreed as follows:".

Article (2)

The text of the second and third articles of the Treaty are to be amended and joined in one article to be referred to as article "2" and reads as follows:

"The two countries pledge not to allow the establishment of foreign military bases on their territories and not to allow these territories to be used militarily against the security and territorial integrity of the other party.".

Article (3)

The fourth and fifth articles of the Treaty are to be joined in one text to be referred to as article "3" and to read as follows:

"The two sides will support and strengthen the co-operation between their two countries in various fields especially in the Economic, Commercial, Information, Social and Cultural fields and in this framework, they decided on the following:

A. To develop co-operation in the fields of joint ventures, balanced trade exchanges, and employment;

B. To develop co-operation in information and culture with the aim of strengthening the bonds between the peoples of the two countries;

C. All agreements which were or will be concluded between the two countries are to be regarded as part of this Treaty. A list of existing Agreements appears in an annex to this text.".

Article (4)

The sixth article of the Treaty is to be amended and placed as article "4" and reads as follows:

"The two sides will hold consultations on international political and economic issues which affect the interests of either of them, so as to guarantee their mutual benefit and realise the aim of this Treaty.".

Article (5)

The ninth article of the Treaty is to be amended and placed as article "7" to read as follows:

"Any differences which may arise about the interpretation of the provisions of this Treaty are to be settled amicably.".

Article (6)

While article "1" of the Treaty retains its position, articles 7, 8, 10, 11 are to be arranged in accordance with the amendments agreed upon to become respectively: 5,6,8,9.

Article (7)

This Agreement is subject to ratification in accordance with the legal procedures that are applicable in each of the two countries, and will enter into effect on the date of the exchange of instruments of ratification* and will become immediately an integral part of the Treaty of Friendship and Co-operation.

Done in Valletta on 19th February 1990 corresponding to 24 Rajab 1399 D.P. in two originals, in the English and Arabic languages, both texts being equally authentic.

For the Government of The Republic of Malta	For the Great Socialist People's Libyan Arab Jamahiriya
Dr Edward Fenech Adami Prime Minister and Minister of Foreign Affairs of Malta	Eng Jadallah Azzuz Al-Talhi Secretary of the People's Committee of the People's Bureau for Foreign Liaison and International Co-operation

ANNEX

Economic, scientific and technical co-operation agreement signed in Valletta on 31st May 1968.

Trade agreement signed in Valletta on 31st May 1968.
Loan agreement signed in Tripoli, August 1971.

Entry and exit visas agreement signed in Valletta on the 9th July 1972.

Cultural Agreement signed in Tripoli on the 5th October 1972.

Agreement on the Participation of Maltese contracting Companies in the execution of housing projects in Libya signed in Tripoli on the 5th October 1972.

Agreement for the avoidance of double taxation with respect to taxes on income signed in Tripoli on 5th October 1972.

Agreement for the encouragement of the movement of Capital for Investment signed in Valletta on the 8th February 1973.

Agreement to supply Malta with refined/crude oil signed in Tripoli on 28 April 1975.

Agreement for the establishment of a Holding Company signed in Tripoli on the 19th May 1975.

Agreement on broadcasting signed in Valletta on 20 June 1975.

Loan agreement signed in Valletta on 29 July 1975.

Special Agreement for the submission to the International Court of Justice of Difference signed in Valletta on the 23rd May 1976.

Manpower Agreement signed in Tripoli on the 27th May 1978.

Agreement for the establishment of a Maltese/Libyan fishing company signed in Tripoli on the 17th July 1978.

Co-operation Agreement signed in Valletta on the 10th August 1984 and its

*The instruments of ratification were exchanged on the 29th January, 1991.

amendments of 24th September 1985 and 30th March 1988.

Co-operation Agreement between Telemalta Corporation and the Libyan Jamahiriya Broadcasting signed in Valletta on the 19th August 1984.

Trade Agreement signed in Tripoli on the 19th December 1984.

Agreement for regulating scheduled air services between and beyond their respective territories signed in Tripoli on the 15th January 1985.

Agreement on Co-operation signed in Valletta on the 5th November 1985.

Agreement implementing Article III of the Special Agreement and the Judgement of the ICJ signed in Valletta on the 10th November 1986.

Agreement on Social Security signed in Valletta on the 6th May 1988.

Agreement on the setting up of a joint venture company to operate and run supermarkets at the Socialist People's Libyan Arab Jamahiriya signed in Valletta on the 28th October 1988.