A.L. 29 ta' l-2002

ATT DWAR POTERI LI JSIRU REGOLAMENTI FL-INTERESS NAZZJONALI (KAP. 365)

Regolamenti ta' l-2002 li jemendaw ir-Regolamenti dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward ta' Angola

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 3 ta' l-Att dwar Poteri li jsiru Regolamenti fl-Interess Nazzjonali, il-Prim Ministru għamel dawn ir-regolamenti li ġejjin:-

Titolu.

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2002 li jemendaw ir-Regolamenti dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward ta' Angola, u għandhom jinqraw u jiftiehmu ħaġa waħda mar-Regolamenti ta' l-1997 dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward ta' Angola, hawnhekk iżjed 'il quddiem imsejħa "ir-regolamenti prinċipali".

A.L. 197 ta' l-1997.

Jemenda r-regolament 3 tar-regolamenti prinċipali.

2. Fir-regolament 3 tar-regolamenti prinċipali, minflok il-kliem "fl-Iskeda li tinsab" għandhom jidħlu l-kliem "fl-Iskeda A li tinsab", u fin-nota marġinali li tinsab miegħu minnufih wara l-kelma "Riżoluzzjoni" għandhom jidħlu l-kliem "1127(1997)".

Iżid ir-regolament 3A ġdid mar-regolamenti prinċipali.

3. Minnufih wara r-regolament 3 tar-regolamenti prinċipali, għandu jidħol dan ir-regolament ġdid li ġej:-

"Test ta' riżoluzzjoni 1173 (1998).

3A. Għall-fini tas-subartikolu (4) ta' l-artikolu 3 ta' l-Att, ir-Riżoluzzjoni 1173 (1998) adottata mill-Kunsill tas-Sigurezza tan-Nazzjonijiet Uniti fit-12 ta' Ġunju, 1998, qegħda tiġi ppubblikata fl-Iskeda B li tinsab ma' dawn ir-regolamenti.".

Iżid ir-regolament 5A ġdid mar-regolamenti prinċipali.

4. Minnufih wara r-regolament 5 tar-regolamenti prinċipali għandu jiżdied dan ir-regolament ġdid li ġej:–

transfer any funds or other financial resources as are referred to in subregulation (1) hereof to or for the benefit of UNITA as an organization or senior officials of UNITA or adult members of their immediate families, whether such transfer is effected directly or indirectly.".

Amends title of Schedule to the principal regulations.

5. For the title "SCHEDULE" in the principal regulations, there shall be substituted the words "SCHEDULE A".

Adds new Schedule to the principal regulations.

6. Immediately after Schedule A as renumbered, there shall be added the following new schedule:-

"SCHEDULE B

(Regulation 3A)

Resolution 1173 (1998)

Adopted by the Security Council at its 3891st meeting, on 12 June, 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May, 1991 and all subsequent relevant resolutions, in particular resolution 1127 (1997) of 28 August, 1997,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Expressing its grave concern at the critical situation in the peace process, which is the result of the failure by the União Nacional para a Independência Total de Angola (UNITA) to implement its obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex), relevant Security Council resolutions and the plan for the completion by 31 May 1998 of the remaining tasks of the Lusaka Protocol, which was submitted by the Special Representative of the Secretary-General to the Joint Commission on 15 May 1998,

Recalling the statement of its President of 22 May 1998 (S/PRST/1998/14),

Recognizing the steps taken by the Government of Unity and National Reconciliation (GURN) to fulfil its obligations under the above-mentioned plan to cease the dissemination of hostile propaganda on State-controlled media and to reduce cases of abuse by the Angolan National Police,

Taking note of the statement of 2 June 1998 issued by the United Nations Observer Mission in Angola (MONUA) regarding the continued existence of non-demobilized UNITA forces (S/1998/503, annex),

A

1. Condemns UNITA, and holds its leadership responsible, for its failure to implement fully its obligations contained in the Lusaka Protocol, relevant Security Council resolutions, in particular resolution 1127 (1997), and the plan submitted by the Special Representative of the Secretary-General to the Joint Commission;

2. Demands that UNITA fully cooperate without conditions in the immediate extension of State administration throughout the national territory, including in particular in Andulo, Bailundo, Mungo and Nharea, and stop any attempts to reverse this process;

3. Reiterates its demand that UNITA complete its demilitarization and stop any attempts to restore its military capabilities;

4. Demands also that UNITA cooperate fully with MONUA in the verification of its demilitarization;

5. Demands further that UNITA stop any attacks by its members on the personnel of MONUA, international personnel, the authorities of the GURN, including the police, and the civilian population;

6. Urges the GURN to continue to refrain from any action, including the excessive use of force, which might undermine the process of normalization of State administration, encourages the GURN to make use of UNITA personnel, as appropriate and in accordance with the provisions of the Lusaka Protocol, in areas to which State administration is extended, and encourages also the GURN to continue to give priority to peaceful actions that contribute to the successful conclusion of the peace process;

7. Also calls upon the GURN and in particular UNITA to avoid taking any action which might lead to renewed hostilities or undermine the peace process;

8. Stresses the importance of strengthening the rule of law, including the full protection of all Angolan citizens throughout the national territory;

9. Calls upon the GURN and in particular UNITA to guarantee unconditionally the safety, security and freedom of movement of all United Nations and international personnel;

10. Requests the Secretary-General to redeploy MONUA personnel immediately and as appropriate to support and facilitate the extension of State administration throughout the national territory, including in particular in Andulo, Bailundo, Mungo and Nharea, and calls upon UNITA to cooperate fully in this regard,

B

Recalling paragraph 9 of resolution 1127 (1997),

Determining that the current situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

11. Decides that all States, except Angola, in which there are funds and financial resources, including any funds derived or generated from property of UNITA as an organization or of senior officials of UNITA or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997), shall require all persons and entities within their own territories holding such funds and financial resources to freeze them and ensure that they are not made available directly or indirectly

to or for the benefit of UNITA as an organization or of senior officials of UNITA or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997);

12. Decides also that all States shall take the necessary measures:

(a) to prevent all official contacts with the UNITA leadership in areas of Angola to which State administration has not been extended, except for those by representatives of the GURN, of the United Nations and of the Observer States to the Lusaka Protocol;

(b) to prohibit the direct or indirect import from Angola to their territory of all diamonds that are not controlled through the Certificate of Origin regime of the GURN;

(c) to prohibit, upon notification by the Chairman of the Committee created pursuant to resolution 864 (1993) to all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of equipment used in mining or mining services;

(d) to prohibit, upon notification by the Chairman of the Committee created pursuant to resolution 864 (1993) to all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of motorized vehicles or watercraft or spare parts for such vehicles, or ground or waterborne transportation services;

13. Decides further that the Committee created pursuant to resolution 864 (1993) may authorize, on a case-by-case basis, upon a no-objection procedure, exemptions to the measures specified in paragraphs 11 and 12 above for verified medical and humanitarian purposes;

14. Decides that the measures specified in paragraphs 11 and 12 above shall come into force without further notice at 00.01 Eastern Daylight Time on 25 June 1998, unless the Security Council decides, on the bais of a report by the Secretary-General, that UNITA has fully complied by 23 June 1998 with all its obligations under paragraph 2 of this resolution;

15 Expresses its readiness to review the measures specified in paragraphs 11 and 12 above and in paragraph 4 of resolution 1127 (1997) and terminate them, if the Secretary-General reports at any time that UNITA has fully complied with all its relevant obligations;

16. Expresses also its readiness to consider the imposition of further additional measures if UNITA does not fully comply with its obligations under the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions;

17. Calls upon all States and all international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution;

18. Also calls upon all States to implement strictly the measures imposed in paragraphs 19, 20, and 21 of resolution 864 (1993) and paragraph 4 of resolution 1127 (1997), as well as to comply with paragraph 6 of resolution 1127 (1997);

C

19. Requests the GURN to designate, and to notify to the Committee created pursuant to resolution 864 (1993), the areas of Angola to which State administration has not been extended;

20. Requests the Committee created pursuant to resolution 864 (1993);

(a) to draw up guidelines expeditiously for the implementation of paragraphs 11 and 12 above and to consider ways and means for further strengthening the effectiveness of the measures adopted by the Council in its previous resolutions;

(b) to report to the Council by 31 July 1998 regarding the actions taken by States to implement the measures specified in paragraphs 11 and 12 above;

21. Requests Member States to provide to the Committee created pursuant to resolution 864 (1993), no later than 15 July 1998, information on the measures they have adopted to implement the provisions of paragraphs 11 and 12 above;

22. Requests also Member States having information about any violations of the provisions of this resolution to provide this information to the Committee created pursuant to resolution 864 (1993) for distribution to Member States;

23. Decides to remain actively seized of the matter.".

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