A.L. 197 ta' l-1997

ATT TA' L-1993 DWAR SANZJONIJIET TAL-KUNSILL TAS-SIGUREZZA TAN-NAZZJONIJIET UNITI (ATT NRU. XX TA' L-1993)

Regolamenti ta' l-1997 dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward ta' Angola

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 3 ta' l-Att ta' l-1993 dwar Sanzjonijiet tal-Kunsill tas-Sigurezza tan-Nazzjonijiet Uniti, il-Prim Ministru għamel dawn ir-regolamenti li ġejjin:–

Titolu.

1. Dawn ir-regolamenti jistgħu jissejħu r-regolamenti ta' l-1997 dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward ta' Angola.

Tifsir.

2. F'dawn ir-regolamenti, sakemm ir-rabta tal-kliem ma teħtieġx xort'oħra –

"inġenji ta' l-ajru" għandha l-istess tifsir kif mogħti lilha fl-Att dwar l-Avjazzjoni Ċivili; Kap. 232.

"UNITA" tfisser Uniao Nacional para a Independencia Total de Angola.

Test ta' Riżoluzzjoni.

3. Għall-fini tas-subartikolu (2) ta' l-artikolu 3 ta' l-Att, ir-Riżoluzzjoni qegħda tiġi pubblikata bl-ilsien Ingliż fl-Iskeda li tinsab ma' dawn ir-regolamenti.

Membri tal-UNITA ma jithallewx jidħlu.

4. (1) M'għandhomx ġewwa Malta jithallew jidħlu jew jieqfu temporanjament uffiċjali għolja ta' UNITA u membri adulti tal-familja fil-qrib tagħhom.

(2) Id-dispożizzjonijiet tal-paragrafu (1) ta' dan ir-regolament m'għandhomx japplikaw għal dawk l-uffiċjali meħtieġa għall-funzjonament sħiħ tal-Gvern ta' Għaqda u Rikonċiljazzjoni Nazzjonali, tal-Assembleja Nazzjonali, jew tal-Kummissjoni Magħquda.

Projbizzjoni ta' attivitajiet minn UNITA li għandhom x'jaqsmu ma' inġenji ta' l-ajru.

5. (1) Minkejja kull liġi oħra, u bla ħsara għall-paragrafu (3) ta' dan ir-regolament, it-titjira ta' inġenji ta' l-ajru minn jew għal UNITA, il-provvista ta' xi inġenji ta' l-ajru jew ta' komponenti ta' inġenji ta' l-ajru lil UNITA u l-assigurazzjoni ta', xogħol ta' inġinerija fuq, u għoti ta' servizzi lil, inġenji ta' l-ajru ta' UNITA, huma projbiti.

(2) Kull min –

(a) jonqos milli jiċħad il-permess lil xi inġenji ta' l-ajru milli jtir minn, jinżel fi, jew itir fuq Malta jekk dan ikun telaq minn jew ikun maħsub li jinżel fi mkien fit-territorju ta' Angola li ma jkunx wieħed approvat mill-Gvern ta' Angola; jew

(b) jipprovdi l-għoti ta' servizzi fl-inġinerija u fil-manutenzjoni, ċertifikar ta' *airworthiness*, ħlas ta' talbiet assiguratriċi ġodda dwar kuntratti ta' l-assigurazzjoni li diġà jeżistu, jew iġedded assigurazzjoni diretta dwar xi inġenji ta' l-ajru reġistrati f'Angola li ma jkunux imqegħda fuq lista approvata mill-Gvern ta' Angola,

ikun ħati ta' reat kontra dawn ir-regolamenti u jista' jeħel il-piena msemmija fir-regolament 6 ta' l-istess regolament.

(3) Id-dispożizzjonijiet tal-paragrafi (1) u (2) ta' dan ir-regolament m'għandhomx ikunu japplikaw għal każijiet ta' emerġenza medika jew ta' titjiriet ta' inġenji ta' l-ajru li jkunu qegħdin iġorru ikel, mediċini, jew provvisti għal bżonnijiet umanitarji essenzjali.

Piena.

6. Kull min jinsab ħati ta' reat kontra dawn ir-regolamenti jeħel, meta jinsab ħati, multa ta' mhux iżjed minn ħamsin elf lira Maltija.

SCHEDULE

(Regulation 3)

RESOLUTION 1127 (1997)

Adopted by the Security Council at its 3814th meeting, on 28 August 1997

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent resolutions,

Recalling the statement of its President of 23 July 1997 (S/PRST/1997/39), which expressed its readiness to consider the imposition of measures on the Uniao National para a Independencia Total de Angola (UNITA), **inter alia,** those specifically mentioned in paragraph 26 of resolution 864 (1993),

Emphasizing the urgent need for the Government of Angola and in particular UNITA to complete without further delay the implementation of their obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex) and the relevant Security Council resolutions,

Expressing its grave concern at the serious difficulties in the peace process, which are mainly the result of delays by UNITA in the implementation of its obligations under the Lusaka Protocol,

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

Having considered the report of the Secretary-General of 13 August 1997 (S/1997/640),

Strongly deploring the failure by UNITA to comply with its obligations under the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol and with relevant Security Council resolutions, in particular resolution 1118 (1997),

A

1. **Demands** that the Government of Angola and in particular UNITA complete fully and without further delay the remaining aspects of the peace process refrain from any action which might lead to renewed hostilities;

2. **Demands also** that UNITA implement immediately its obligations under the Lusaka Protocol, including demilitarization of all its forces, transformation of its radio station Vorgan into a non-partisan broadcasting facility and full cooperation in the process of the normalization of State administration throughout Angola;

3. **Demands further** that UNITA provide immediately to the Joint Commission, as established under the Lusaka Protocol, accurate and complete information with regard to the strength of all armed personnel under its control, including the security detachment of the Leader of UNITA, the so-called "mining police", armed UNITA personnel returning from outside the national boundaries, and any other armed UNITA personnel, not previously reported to the United Nations, in order for them to be verified, disarmed and demobilized in accordance with the Lusaka Protocol and agreements between the parties in the context of the Joint Commission, and **condemns** any attempts by UNITA to restore its military capabilities;

B

Determining that the resulting 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,

4. **Decides** that all States shall take the necessary measures;

(a) To prevent the entry into or transit through their territories of all senior officials of UNITA and of adult members of their immediate families, as designated in accordance with paragraph 11 (a) below, except those officials necessary for the full functioning of the Government of Unity and National Reconciliation, the National Assembly, or the Joint Commission, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals,

(b) To suspend or cancel all travel documents, visas or residence permits issued to senior UNITA officials and adult members of their immediate families, as designated in accordance with paragraph 11 (a) below, with the exceptions referred to in subparagraph (a) above;

(c) To require the immediate and complete closure of all UNITA offices in their territories;

(d) With a view to prohibiting flights of aircraft by or for UNITA, the supply of any aircraft or aircraft components to UNITA and the insurance, engineering and servicing of UNITA aircraft;

(i) to deny permission to any aircraft to take off from, land in, or overfly their territories if it has taken off from or is destined to land at a place in the territory of Angola other than one on a list supplied by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States;

(ii) to prohibit, by their nationals or from their territories or using their flag vessels or aircraft, the supply of or making available in any form, any aircraft or aircraft components to the territory of Angola other than through named points of entry on a list to be supplied by the Government of

Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States;

(iii) to prohibit, by their nationals or from their territories, the provision of engineering and maintenance servicing, the certification of airworthiness, the payment of new claims against existing insurance contracts, or the provision or renewal of direct insurance with respect to any aircraft registered in Angola other than those on a list to be provided by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States, or with respect to any aircraft which entered the territory of Angola other than through a point of entry included in the list referred to in subparagraph (d) (i) above;

5. **Further decides** that the measures set out in paragraph 4 above shall not apply to cases of medical emergency or to flights of aircraft carrying food, medicine, or supplies for essential humanitarian needs, as approved in advance by the Committee created pursuant to resolution 864 (1993);

6. **Urges** all States and international and regional organizations to stop travel by their officials and official delegations to the central headquarters of UNITA, except for the purposes of travel to promote the peace process and humanitarian assistance;

7. **Decides also** that the provisions of paragraph 4 above shall come into force without any further notice at 00.01 EST on 30 September 1997, unless the Security Council decides, on the basis of a report by the Secretary-General, that UNITA has taken concrete and irreversible steps to comply with all the obligations set out in paragraphs 2 and 3 above;

8. **Requests** the Secretary-General to submit by 20 October 1997, and every ninety days thereafter, a report on the compliance of UNITA with all the obligations set out in paragraphs 2 and 3 above, and **expresses** its readiness to review the measures set out in paragraph 4 above if the Secretary-General reports at any time that UNITA has fully complied with these obligations;

9. **Expresses** its readiness to consider the imposition of additional measures, such as trade and financial restrictions, if UNITA does not fully comply with its obligations under the Lusaka Protocol and all relevant Security Council resolutions;

10. **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, and **also calls upon** all States to comply strictly with the measures imposed in paragraphs 19, 20, and 21 of resolution 864 (1993);

11. **Requests** the Committee created pursuant to resolution 864 (1993):

(a) To draw up guidelines expeditiously for the implementation of paragraph 4 of this resolution, including the designation of officials and of adult members of their immediate families whose entry or transit is to be prevented and whose travel documents, visas or residence permits are to be suspended or cancelled in accordance with paragraphs 4 (a) and 4 (b) above;

(b) To give favourable consideration to, and decide upon, requests for the exceptions set out in paragraph 5 above;

(c) To report to the Council by 15 November 1997 regarding the actions taken by States to implement the measures set out in paragraph 4 above;

12. **Requests** Member States having information on flights prohibited in paragraph 4 (d) above to provide this information to the Committee created pursuant to resolution 864 (1993) for distribution to Member States;

13. **Requests also** Member States to provide to the Committee created pursuant to resolution 864 (1993) information on the measures they have adopted to implement the provisions of paragraph 4 above no later than 1 November 1997;

C

14. **Demands** that the Government of Angola and, in particular, UNITA cooperate fully with the United Nations Observer Mission in Angola (MONUA), stop restricting the verification activities of MONUA, refrain from laying new mines, and ensure the freedom of movement and especially the safety of MONUA and other international personnel;

15. **Reiterates** its call upon the Government of Angola to notify MONUA of any troop movement, in accordance with the provisions of the Lusaka Protocol;

16. **Endorses** the recommendation of the Secretary-General in his report of 13 August 1997 to postpone the withdrawal of the United Nations military units from Angola until the end of October 1997, with the understanding that the plan is for the drawdown to be completed in November 1997, taking into account the situation on the ground and progress in completing the remaining relevant aspects of the peace process, and **requests** the Secretary-general to report thereon no later than 20 October 1997, including on the schedule for the resumed withdrawal of military personnel;

17. **Reiterates** its belief that the long-awaited meeting within the territory of Angola between the President of Angola and the leader of UNITA could greatly contribute to the reduction of tensions, to the process of national reconciliation and to the achievement of the goals of the peace process as a whole;

18. **Expresses** its appreciation to the Secretary-General, his Special Representative, and the personnel of MONUA for assisting the parties in Angola to implement the peace process;

19. **Decides** to remain actively seized of the matter.

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