L.N. 81 of 1994

UNITED NATIONS (SECURITY COUNCIL SANCTIONS) ACT, 1993

(ACT NO. XX OF 1993)

United Nations Sanctions (Georgia) Regulations, 1994

IN exercise of the powers conferred by section 3 of the United Nations (Security Council Sanctions) Act, 1993, the Prime Minister has made the following regulations:—

Citation.

1. These regulations may be cited as the United Nations Sanctions (Georgia) Regulations, 1994.

Interpretation.

2. In these regulations, unless the context otherwise requires —

"aircraft" includes a helicopter;

"the Act" means the United Nations (Security Council Sanctions) Act, 1993;

"Abkhaz side" means that geographical area and those forces within it using military force against the legitimate Government of Georgia;

Text of resolution.

3. For the purpose of subsection (2) of section 3 of the Act, resolution number 876 adopted by the Security Council of the United Nations on the 19th October, 1993 is published in the English language in the Schedule to these regulations.

Application of sanctions.

4. The sale or supply of provisions and in particular of weapons, arms and ammunition, and any form of assistance, other than humanitarian assistance, by any person in Malta or by any citizen or permanent resident of Malta, whether in Malta or elsewhere, to any person in any way connected to the Abkhaz side, whether in Georgia or elsewhere, is prohibited.

Claims affecting rights prior to adoption of resolution.

5. Notwithstanding any other law, no claim shall lie at the instance of any person in connection with any rights or obligations conferred or imposed by an international agreement or any contract or transaction entered into or any licence or permit granted prior to the adoption of the resolution mentioned in regulation 3 of these regulations, or in connection with any rights or obligations related thereto, where the performance of those rights or obligations was affected by the measures imposed by the said resolution or as a result of these regulations.

Punishments.

6. Any person who contravenes any provisions of these regulations or who contravenes any restriction, prohibition or requirement by or under the said regulations shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) not exceeding fifty thousand Maltese Liri.

SCHEDULE

(Regulation 3)

RESOLUTION 876 (1993) ADOPTED BY THE SECURITY COUNCIL AT ITS 3295th MEETING ON 19 OCTOBER, 1993

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993 and 858 (1993) of 24 August 1993,

Recalling the statement made by the President of the Council on 17 September 1993 (S/26463), in which the Security Council expressed its extreme concern for the situation in Abkhazia, Republic of Georgia, and urged all countires to encourage the resumption of the peace process,

Having considered the letter from the Chairman of the Parliament, Head of State of the Republic of Georgia, dated 12 October 1993 (S/26576, annex),

Having also considered the Secretary-General's report of 7 October 1993 (S/26551),

Deeply concerned at the human suffering caused by conflict in the region, and at reports of "ethnic cleansing" and other serious violations of international humanitarian law,

Determining that continuation of the conflict in Abkhazia, Republic of Georgia, threatens peace and stability in the region,

1. **Affirms** the sovereignty and territorial integrity of the Republic of Georgia;

2. **Reaffirms** its strong condemnation of the grave violation by the Abkhaz side of the Cease-fire Agreement of 27 July 1993 between the Republic of Georgia and forces in Abkhazia, and subsequent actions in violation of international humanitarian law;

3. **Condems also** the killing of the Chairman of the Defence Council and Council of Ministers of the Autonomous Republic of Abkhazia;

4. **Demands** that all parties refrain from the use of force and from any violations of international humanitarian law, and **welcomes** the decision of the Secretary-General to send a fact-finding mission to the Republic of Georgia in this regard, in particular to investigate reports of "ethnic cleansing";

5. **Affirms** the right of refugees and displaced persons to return to their homes, and **calls on** the parties to facilitate this;

6. **Welcomes** the humanitarian assistance already provided, including by international aid agencies, and **urges** Member States to contribute towards the relief efforts;

7. **Calls for** unimpeded access for international humanitarian relief assistance in the region;

8. **Calls on** all States to prevent the provision from their territories or by persons under their jurisdiction of all assistance, other than humanitarian assistance, to the Abkhaz side and in particular to prevent the supply of any weapons and munitions;

9. **Reiterates** its support for the efforts of the Secretary-General and his Special Envoy, in cooperation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe (CSCE) and with the assistance of the Government of the Russian Federation as a facilitator, to carry forward the peace process with the aim of achieving an overall political settlement;

10. **Notes** the provisional steps the Secretary-General has taken with regard to the United Nations Observer Mission in Georgia (UNOMIG), and **welcomes** his intention to provide a further report both on the future of UNOMIG and on the political aspects of the United Nations role in trying to end the conflict in Abkhazia;

11. **Decides** to remain seized of the matter.

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