A.L. 88 ta' l-1994

ATT TA' L-1993 DWAR SANZJONIJIET TAL-KUNSILL TAS-SIGUREZZA TAN-NAZZJONIJIET UNITI

(ATT NRU. XX TA' L-1993)

Regolamenti ta' l-1994 dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro)

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

1. Dawn ir-regolamenti jistgħu jissejħu r-Regolamenti ta' l-1994 dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro). Titolu.

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

"l-Att" tfisser l-Att ta' l-1993 dwar Sanzjonijiet tal-Kunsill tas-Sigurezza tan-Nazzjonijiet Uniti;

"ajruplan" tinkludi helicopter;

"il-Kumitat" tfisser il-Kumitat stabbilit bis-saħħa tar-riżoluzzjoni numru 724, li ġiet adottata mill-Kunsill tas-Sigurezza tan-Nazzjonijiet Uniti fil-15 ta' Diċembru, 1991;

"Komoditajiet stabbiliti" tfisser kull komodita jew prodott li joriġinaw mir-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro), u li ġew esportati minn hemm wara d-data tat-30 ta' Mejju, 1992;

"ir-Riżoluzzjonijiet" tfisser ir-riżoluzzjonijiet numri 757 u 787 li ġew adottati mill-Kunsill tas-Sigurezza tan-Nazzjonijiet Uniti fit-30 ta' Mejju, 1992, u fis-16 ta' Novembru, 1992, rispettivament;

"intrapriża Jugoslava" tfisser kull intrapriża kummerċjali, industrijali jew ta' utilita pubblika li, direttament jew indirettament, tappartjeni lil, jew hi kontrollata minn:

(i) il-Gvern tar-Republika Federali tal-Jugoslavja (Serbja u Montenegro) jew awtoritajiet pubbliċi tal-imsemmija Repubblika;

(ii) xi entita, kull fejn tinsab jew organizzata, li tappartjeni lil, jew hi kontrollata minn, il-Gvern tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) jew awtoritajiet pubblici tal-imsemmija Repubblika; jew

(iii) xi persuna li taġixxi għall-Gvern tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro), għall-awtoritajiet tal-imsemmija Repubblika, jew għal, xi entita imsemmija fil-paragrafu (ii);

"ir-Repubblika Federali tal-Jugoslavja" tfisser is-Serbja u l-Montenegro;

Test ta' riżoluzzjoni.

3. Għall-fini tas-subartikolu (2) tal-artikolu 3 ta' l-Att, ir-Riżoluzzjonijiet qegħdin jiġu ppubblikati, bl-Ingliż, fl-Iskedi I u II li jinsabu ma dawn ir-regolamenti.

Importazzjoni ta' komoditajiet stabbiliti.

4. Minkejja kull liġi oħra, l-importazzjoni ġewwa Malta ta' komoditajiet stabbiliti huwa projbit.

Negozjar, eċċ. f'komoditajiet stabbiliti.

5. Bla ħsara għad-disposizzjonijiet tas-subartikolu (2) ta' dan l-artikolu, kull persuna li, f'Malta jew fuq kull vapur, bastiment jew ajruplan li jappartjeni lil Malta, jew kull ċittadin jew resident permanenti ta' Malta li, f'Malta jew band'oħra:

(a) jinnegozja f'xi komoditajiet stabbiliti; jew

(b) jippromwovi, jew jieħu sehem f'xi attività kkalkulata li tippromwovi, l-esportazzjoni jew it-trasbord ta' kull komodità stabbilita; jew

(ċ) ibiegħ jew jipprovdi kull komodità jew prodott li joriġinaw minn Malta jew minn band'oħra lil:

(i) kull persuna fir-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro); jew

(ii) kull persuna oħra għall-iskopijiet ta' kull kummerċ operat fi, jew mill-imsemmija Repubblika; jew

(d) jippromwovi jew jaġixxi b'mod li jitqies li jippromwovi tali bejgħ jew provvista kif imsemmija fil-paragrafu (ċ),

ikun ħati ta' reat kontra dawn ir-regolamenti u t-trasferiment ta' fondi lir-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) għal xi jew kull skop imsemmi f'dan l-artikolu huwa projbit.

(2) Id-dispożizzjonijiet tas-subartikolu (1) ta' dan l-artikolu ma għandhomx japplikaw għal:

(a) xi trasbord ta' komoditajiet stabbiliti li jkun awtorizzat mill-Kumitat;

(b) it-trasbord minn ġewwa r-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) ta' komoditajiet u prodotti li joriġinaw minn barra mill-imsemmija Repubblika u li huma temporanjament preżenti fit-territorju tal-imsemmija Repubblika għall-iskop biss ta' dak it-trasbord:

Iżda d-dispożizzjonijiet tas-subartikolu (1) ta' dan l-artikolu jibqgħu japplikaw għat-trasbord ta' żejt mhux raffinat, prodotti taż-żejt *petroleum,* faħam, tagħmir li għandu x'jaqsam ma enerġija, ħadid, azzar, metalli oħra, prodotti kimiċi, gomma, *tyres*, vetturi, ajruplani u muturi ta' kull tip, kemm-il darba dak it-trasbord ikun awtorizzat mill-Kumitat;

(ċ) xi provvisti li għandhom użu biss għal skopijiet mediċi jew ta' ikel li jiġu notifikati lill-Kumitat.

Inżul, eċċ. minn ajruplani.

6. Minkejja kull liġi oħra, ebda ajruplan li huwa destinat li jinżel fi jew ikun telaq mit-territorju tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) ma għandu jitħalla jinżel, jitlaq jew itir minn fuq it-territorju ta' Malta, sakemm dik tiegħu ma tkunx titjira li tkun ġiet approvata mill-Kumitat.

Servicing, eċċ. ta' ajruplani.

7. Minkejja kull liġi oħra, kull persuna li, f'Malta jew fuq kull vapur, bastiment jew ajruplan li jappartjeni lil Malta, jew kull ċittadin jew residenti permanenti ta' Malta li, f'Malta jew f'kull post ieħor jipprovdi:

(a) *servicing* ta' inġinerija u manutenzjoni ta' ajruplani reġistrati fir-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) jew li jkun operat minn jew f'isem xi entitajiet f'dik ir-Repubblika;

(b) partijiet għal dawk l-ajruplani;

(ċ) ċertifikazzjoni ta' *air worthiness* għal dawk l-ajruplani;

(d) il-ħlas ta' *claims* ġodda fuq kuntratti ta' assigurazzjoni eżistenti; jew

(e) assigurazzjonijiet diretti ġodda għal dawk l-ajruplani,

tkun ħatja ta' reat kontra dawn ir-regolamenti.

Avvenimenti sportivi.

8. Il-parteċipazzjoni ta' kull persuna, *team* jew grupp li jkun jirrappreżenta r-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) f'avveniment sportiv ġewwa Malta hija projbita u kull persuna li, f'Malta jew fuq kull vapur, bastiment jew ajruplan li jappartjeni lil Malta, jew kull ċittadin jew residenti permanenti ta' Malta li, f'Malta jew f'kull band'oħra, jippermetti, jippromwovi jew jagħmel xi ħaġa li probabbilment ser tippromwovi jew tgħin tali parteċipazzjoni f'kull avveniment sportiv bħal dak tkun ħatja ta' reat kontra dawn ir-regolamenti.

Trasferiment ta' fondi, eċċ.

9. Minkejja kull liġi oħra —

(a) fondi u riżorsi finanzjarji oħra (li jinkludu fondi derivati jew ġenerati minn proprjetà) ta' proprjetà ta', jew kontrollati minn, sew jekk direttament u sew jekk indirettament mill-Gvern tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro), jew mill-awtoritajiet Pubbliċi tal-imsemmija Repubblika, jew kull intrapiża Jugoslava għandhom ikunu iffriżati, u ma jistgħux jitqiegħdu, direttament jew indirettament, għall-użu jew benefiċċju tal-Gvern tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) jew ta' l-awtoritajiet pubbliċi tar-Repubblika imsemmija, jew intrapriżi Jugoslavi;

(b) l-ebda ċittadin Malti u ebda persuna f'Malta ma tista', direttament jew indirettament, tittrasferixxi barra minn Malta, jew tqiegħed fondi jew riżorsi finanzjarji għall-użu jew benefiċċju tal-Gvern tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro) jew awtoritajiet pubbliċi tar-Repubblika imsemmija, jew xi intrapriża Jugoslava, jew bi kwalunkwe mod jagħti xi fondi oħra lill-persuni jew korpi ġewwa dik ir-Repubblika, bl-eċċezzjoni ta' ħlas li hu esklusivament u strettament għal skopijiet mediċi jew umanitarji u għal ħwejjeġ tal-ikel.

Kif ma jgħoddux is-sanzjonijiet.

10. Id-dispożizzjonijiet ta' dawn ir-regolamenti ma għandhomx japplikaw għal attivitajiet relatati mal-Forza taż-Żamma tal-Paċi tan-Nazzjonijiet Uniti (UNPROFOR), mal-Konferenza fuq il-Yugoslavja jew mal-Missjoni ta' Monitoraġġ tal-Unjoni Ewropea.

Nullita ta' kuntratti, eċċ.

11. (1) Kull kuntratt, ftehim jew arranġament li jsir bi ksur tad-dispożizzjonijiet ta' dawn ir-regolamenti ikun, għall-finijiet u effetti kollha tal-liġi null u bla effett.

(2) Minkejja kull liġi oħra, ebda talba ma tista' ssir mill-Gvern tar-Repubblika Federali tal-Jugoslavja (Serbja u Montenegro), jew minn xi persuna li tkun qed taġixxi bis-saħħa ta' xi jedd jew obbligazzjoni ġejjin minn jew imposti bi ftehim internazzjonali jew ta' xi kuntratt jew transazzjoni magħmulin jew ta' liċenza jew permess mogħtija qabel l-adozzjoni tar-riżoluzzjonijiet, jew in konnessjoni ma xi jedd jew obbligazzjoni li għandha x'taqsam magħhom,meta t-twettiq ta' dawk il-jeddijiet jew obbligi tkun intlaqtet mill-miżuri imposti b'dawk ir-riżoluzzjonijiet jew bħala riżultat ta' dawn ir-regolamenti.

Pieni.

12. (1) Kull persuna li tikser xi dispożizzjoni ta' dawn ir-regolamenti jew li tikser xi restrizzjoni, projbizzjoni jew ħtieġa imposti minn jew skond dawn ir-regolamenti tkun ħatja ta' reat kontra dawn ir-regolmenti.

(2) Kull persuna li tinsab ħatja ta' reat kontra dawn ir-regolamenti teħel, meta tinsab ħatja, multa ta' mhux aktar minn ħamsin elf Lira Maltija.

SCHEDULE I

RESOLUTION 757 (1992) ADOPTED BY THE SECURITY COUNCIL AT ITS 3082nd MEETING, ON 30 MAY 1992

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 Ferbruary 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992 and 752 (1992) of 15 May 1992,

Noting that in the very complex context of events in the former Socialist Federal Republic of Yugoslavia all parties bear some responsibility for the situation,

Reaffirming its support for the Conference on Yugoslavia, including the efforts undertaken by the European Community in the framework of the discussions on constitutional arrangements for Bosnia and Herzegovina, and **recalling** that no territorial gains or changes brought about by violence are acceptable and that the borders of Bosnia and Herzegovina are inviolable,

Deploring the fact that the demands in resolution 752 (1992) have not been complied with, including its demands:

— that all parties and others concerned in Bosnia and Herzegovina stop the fighting immediately,

— that all forms of interference from outside Bosnia and Herzegovina cease immediately,

— that Bosnia and Herzegovina's neighbours take swift action to end all interference and respect the territorial integrity of Bosnia and Herzegovina,

— that action be taken as regards units of the Yugoslav People's Army (JNA) in Bosnia and Herzegovina, including the disbanding and disarming with weapons placed under effective international monitoring of any units that are neither withdrawn nor placed under the authority of the Government of Bosnia and Herzegovina,

— that all irregular forces in Bosnia and Herzegovina be disbanded and disarmed,

Deploring further that its call for the immediate cessation of forcible expulsions and attempts to change the ethnic composition of the population has not been heeded, and **reaffirming** in this context the need for the effective protection of human rights and fundamental freedoms, including those of ethnic minorities,

Dismayed that conditions have not yet been established for the effective and unhindered delivery of humanitarian assistance, including safe and secure access to and from Sarajevo and other airports in Bosnia and Herzegovina,

Deeply concerned that those United Nations Protection Force (UNPROFOR) personnel remaining in Sarajevo have been subjected to deliberate mortar and small-arms fire, and that the United Nations Military Observers deployed in the Mostar region have had to be withdrawn,

Deeply concerned also at developments in Croatia, including persistent cease-fire violations and the continued expulsion of non-Serb civilians, and at the obstruction of and lack of cooperation with UNPROFOR in other parts of Croatia,

Deploring the tragic incident on 18 May 1992 which caused the death of a member of the ICRC team in Bosnia and Herzegovina,

Noting that the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted,

Expressing its appreciation for the report of the Secretary-General of 26 May 1992 (S/24000) pursuant to resolution 752 (1992),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations, and the continuing role that the European Community is playing in working for a peaceful solution in Bosnia and Herzegovina, as well as in other republics of the former Socialist Federal Republic of Yugoslavia,

Recalling its decision in resolution 752 (1992) to consider further steps to achieve a peaceful solution in conformity with relevant resolutions of the Council, and **affirming** its determination to take measures against any party or parties which fail to fulfil the requirements of resolution 752 (1992) and its other relevant resolutions,

Determined in this context to adopt certain measures with the sole objective of achieving a peaceful solution and encouraging the efforts undertaken by the European Community and its member States,

Recalling the right of States, under Article 50 of the Charter, to consult the Security Council where they find themselves confronted with special economic problems arising from the carrying out of preventive or enforcement measures,

Determining that the situation in Bosnia and Herzegovina and in other parts of the former Socialist Federal Republic of Yugoslavia constitutes a threat to international peace and security,

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

1. **Condemns** the failure of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), including the Yugoslav People's Army (JNA), to take effective measures to fulfil the requirements of resolution 752 (1992);

2. **Demands** that any elements of the Croatian Army still present in Bosnia and Herzegovina act in accordance with paragraph 4 of resolution 752 (1992) without further delay;

3. **Decides** that all States shall adopt the measures set out below, which shall apply until the Security Council decides that the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), including the Yugoslav People's Army (JNA), have taken effective measures to fulfil the requirements of resolution 752 (1992);

4. **Decides** that all States shall prevent:

(a) The import into their territories of all commodities and products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro) exported therefrom after the date of the present resolution;

(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or trans-shipment of any commodities or products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro); and any dealings by their nationals or their flag vessels or aircraft or in their territories in any commodities or products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro) and exported therefrom after the date of the present resolution, including in particular any transfer of funds to the Federal Republic of Yugoslavia (Serbia and Montenegro) for the purposes of such activities or dealings;

(c) The sale or supply by their nationals or from their territories or using their flag vessels or aircraft of any commodities or products, whether or not originating in their territories, but not including supplies intended strictly for medical purposes and foodstuffs notified to the Committee established pursuant to resolution 724 (1991), to any person or body in the Federal Republic of Yugoslavia (Serbia and Montenegro) or to any person or body for the purposes of any business carried on in or operated from the Federal Republic of Yugoslavia (Serbia and Montenegro), and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;

5. **Decides** that all States shall not make available to the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) or to any commercial, industrial or public utility undertaking in the Federal Republic of Yugoslavia (Serbia and Montenegro), any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to those authorities or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within the Federal Republic of Yugoslavia (Serbia and Montenegro), except payments exclusively for strictly medical or humanitarian purposes and foodstuffs;

6. **Decides** that the prohibitions in paragraphs 4 and 5 above shall not apply to the trans-shipment through the Federal Republic of Yugoslavia (Serbia and Montenegro) of commodities and products originating outside the Federal Republic of Yugoslavia (Serbia and Montenegro) and temporarily present in the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) only for the purpose of such trans-shipment, in accordance with guidelines approved by the Committee established by resolution 724 (1991);

7. **Decides** that all States shall:

(a) Deny permission to any aircraft to take off from, land in or overfly their territory if it is destined to land in or has taken off from the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro), unless the particular flight has been approved, for humanitarian or other purposes consistent with the relevant resolutions of the Council, by the Committee established by resolution 724 (1991);

(b) Prohibit, by their nationals or from their territory, the provision of engineering and maintenance servicing of aircraft registered in the Federal Republic of Yugoslavia (Serbia and Montenegro) or operated by or on behalf of entities in the Federal Republic of Yugoslavia (Serbia and Montenegro) or components for such aircraft, the certification of airworthiness for such aircraft, and the payment of new claims against existing insurance contracts and the provisions of new direct insurance for such aircraft;

8. **Decides** that all States shall:

(a) Reduce the level of the staff at diplomatic missions and consular posts of the Federal Republic of Yugoslavia (Serbia and Montenegro);

(b) Take the necessary steps to prevent the participation in sporting events on their territory of persons or groups representing the Federal Republic of Yugoslavia (Serbia and Montenegro);

(c) Suspend scientific and technical cooperation and cultural exchanges and visits involving persons or groups officially sponsored by or representing the Federal Republic of Yugoslavia (Serbia and Montenegro);

9. **Decides** that all States, and the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), shall take the necessary measures to ensure that no claim shall lie at the instance of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), or of any person or body in the Federal Republic of Yugoslavia (Serbia and Montenegro), or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures imposed by this resolution and related resolutions;

10. **Decides** that the measures imposed by this resolution shall not apply to activities related to UNPROFOR, to the Conference on Yugoslavia or to the European Community Monitor Mission, and that States, parties and others concerned shall cooperate fully with UNPROFOR, the Conference on Yugoslavia and the European Community Monitor Mission and respect fully their freedom of movement and the safety of their personnel;

11. **Calls upon** all States, including States not members of the United Nations, and all international organizations, to act strictly in accordance with the provisions of the present 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 the present resolution;

12. **Requests** all States to report to the Secretary-General by 22 June 1992 on the measures they have instituted for meeting the obligations set out in paragraphs 4 to 9 above;

13. **Decides** that the Committee established by resolution 724 (1991) shall undertake the following tasks additional to those in respect of the arms embargo established by resolutions 713 (1991) and 727 (1992):

(a) To examine the reports submitted pursuant to paragraph 12 above;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the measures imposed by paragraphs 4 to 9 above;

(c) To consider any information brought to its attention by States concerning violations of the measures imposed by paragraphs 4 to 9 above and, in that context, to make recommendations to the Council on ways to increase their effectiveness;

(d) To recommend appropriate measures in response to violations of the measures imposed by paragraphs 4 to 9 above and provide information on a regular basis to the Secretary-General for general distribution to Member States;

(e) To consider and approve the guidelines referred to in paragraph 6 above;

(f) To consider and decide upon expeditiously any applications for the approval of flights for humanitarian or other purposes consistent with the relevant resolutions of the Council in accordance with paragraph 7 above;

14. **Calls upon** all States to cooperate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

15. **Requests** the Secretary-General to report to the Security Council, not later than 15 June 1992 and earlier if he considers it appropriate, on the implementation of resolution 752 (1992) by all parties and others concerned;

16. **Decides** to keep under continuous review the measures imposed by paragraphs 4 to 9 above with a view to considering whether such measures might be suspended or terminated following compliance with the requirements of resolution 752 (1992);

17. **Demands** that all parties and others concerned create immediately the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport and respecting the agreements signed in Geneva on 22 May 1992;

18. **Requests** the Secretary-General to continue to use his good offices in order to achieve the objectives contained in paragraph 17 above, and **invites** him to keep under continuous review any further measures that may become necessary to ensure unimpeded delivery of humanitarian supplies;

19. **Urges** all States to respond to the Revised Joint Appeal for humanitarian assistance of early May 1992 issued by the United Nations High Commissioner for Refugees, UNICEF and the World Health Organisations;

20. **Reiterates** the call in paragraph 2 of resolution 752 (1992) that all parties continue their efforts in the framework of the Conference on Yugoslavia and that the three communities in Bosnia and Herzegovina resume their discussions on constitutional arrangements for Bosnia and Herzegovina;

21. **Decides** to remain actively seized of the matter and to consider immediately, whenever necessary, further steps to achieve a peaceful solution in conformity with relevant resolutions of the Council.

SCHEDULE II

RESOLUTION 787 (1992) ADOPTED BY THE SECURITY COUNCIL AT ITS 3137th MEETING, ON 16 NOVEMBER 1992

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Reaffirming its determination that the situation in the Republic of Bosnia and Herzegovina constitutes a threat to the peace, and reaffirming that the provision of humanitarian assistance in the Republic of Bosnia and Herzegovina is an important element in the Security Council's effort to restore peace and security in the region,

Deeply concerned at the threats to the territorial integrity of the Republic of Bosnia and Herzegovina, which, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Reaffirming also its full support for the International Conference on the Former Yugoslavia as the framework within which an overall political settlement of the crisis in the former Yugoslavia may be achieved, and for the work of the Co-Chairman of the Steering Committee of the Conference,

Recalling the decision by the International Conference on the Former Yugoslavia to examine the possibility of promoting safe areas for humanitarian purposes,

Recalling the commitments entered into by the parties and others concerned within the framework of the International Conference on the Former Yugoslavia,

Reiterating its call on all parties and others concerned to cooperate fully with the Co-Chairman of the Steering Committee,

Noting the progress made so far within the framework of the International Conference, including the Joint Declarations signed at Geneva on 30 September 1992 1/ and 20 October 1992 2/ by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro); the Joint Statement made at Geneva on 19 October 1992 by the Presidents of the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro); 3/ the Joint Communiqué issued on 1 November 1992 at Zagreb by the Presidents of the Republic of Croatia and the Republic of Bosnia and Herzegovina; 4/ the establishment of the Mixed Military Working Group in the Republic of Bosnia and Herzegovina; and the production of a draft outline constitution for the Republic of Bosnia and Herzegovina, 5/

Noting with grave concern the report of the Special Rapporteur appointed following a special session of the Commission on Human Rights to investigate the human rights situation in the former Yugoslavia, which makes clear that massive and systematic violations of human rights and grave violations of international humanitarian law continue in the Republic of Bosnia and Herzegovina,

Welcoming the deployment of additional elements of the United Nations Protection Force for the protection of humanitarian activities in the Republic of Bosnia and Herzegovina, in accordance with its resolution 776 (1992) of 14 September 1992,

Deeply concerned about reports of continuing violations of the embargo imposed by its resolutions 713 (1991) and 724 (1991) of 15 December 1991,

Deeply concerned also about reports of violations of the measures imposed by its resolution 757 (1992) of 30 May 1992,

1. **Calls upon** the parties in the Republic of Bosnia and Herzegovina to consider the draft outline constitution as a basis for negotiating a political settlement of the conflict in that country and to continue negotiations for constitutional arrangements on the basis of the draft outline, under the auspices of the Co-Chairman of the Steering Committee, these negotiations to be held in continuous and uninterrupted session;

2. **Reaffirms** that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and unacceptable, and will not be permitted to affect the outcome of the negotiations on constitutional arrangements for the Republic of Bosnia and Herzegovina, and insists that all displaced persons be enabled to return in peace to their former homes;

3. **Strongly reaffirms** its call on all parties and others concerned to respect strictly the territorial integrity of the Republic of Bosnia and Herzegovina, and affirms that any entities unilaterally declared or arrangements imposed in contravention thereof will not be accepted;

4. **Condemns** the refusal of all parties in the Republic of Bosnia and Herzegovina, in particular the Bosnian Serb paramilitary forces, to comply with its previous resolutions, and demands that they and all other concerned parties in the former Yugoslavia fulfil immediately their obligations under those resolutions;

5. **Demands** that all forms of interference from outside the Republic of Bosnia and Herzegovina, including infiltration into the country of irregular units and personnel, cease immediately, and reaffirms its determination to take measures against all parties and others concerned which fail to fulfil the requirements of resolution 752 (1992) and its other relevant resolutions, including the requirement that all forces, in particular elements of the Croatian army, be withdrawn, or be subject to the authority of the Government of the Republic of Bosnia and Herzegovina, or be disbanded or disarmed;

1/ S/24476, annex.

2/ S/24704, annex.

3/ S/24702, annex.

4/ S/24748, annex.

5/ S/24795, annex VII.

6. **Calls upon** all parties in the Republic of Bosnia and Herzegovina to fulfil their commitments to put into effect an immediate cessation of hostilities and to negotiate in the Mixed Military Working Group, continuously and in uninterrupted session, to end the blockades of Sarajevo and other towns and to demilitarize them, with heavy weapons under international supervision;

7. **Condemns** all violations of international humanitarian law, including in particular the practice of "ethnic cleansing" and the deliberate impeding of the delivery of food and medical supplies to the civilian population of the Republic of Bosnia and Herzegovina, and reaffirms that those that commit or order the commission of such acts will be held individually responsible in respect of such acts;

8. **Welcomes** the establishment of the Commission of Experts provided for in paragraph 2 of its resolution 780 (1992) of 6 October 1992, and requests the Commission to pursue actively its investigations with regard to grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia, in particular the practice of "ethnic cleansing";

9. **Decides**, acting under Chapter VII of the Charter of the United Nations, in order to ensure that commodities and products transshipped through the Federal Republic of Yugoslavia (Serbia and Montenegro) are not diverted in violation of resolution 757 (1992), to prohibit the transshipment of crude oil, petroleum products, coal, energy-related equipment, iron, steel, other metals, chemicals, rubber, tyres, vehicles, aircraft and motors of all types unless such transshipment is specifically authorized on a case-by-case basis by the Committee established by resolution 724 (1991) under its no-objection procedure;

10. **Further decides**, acting under Chapter VII of the Charter of the United Nations, that any vessel in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be considered, for the purpose of implementation of the relevant resolutions of the Security Council, a vessel of the Federal Republic of Yugoslavia (Serbia and Montenegro) regardless of the flag under which the vessel sails;

11. **Calls upon** all States to take all necessary steps to ensure that none of their exports are diverted to the Federal Republic of Yugoslavia (Serbia and Montenegro) in violation of resolution 757 (1992);

12. Acting under Chapters VII and VIII of the Charter of the United Nations, **calls upon** States, acting nationally or through regional agencies or arrangements, to use such measures commensurate with the specific circumstances as may be necessary under the authority of the Security Council to halt all inward and outward maritime shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991)and 757 (1992);

13. **Commends** the efforts of those riparian States which are acting to ensure compliance with resolutions 713 (1991) and 757 (1992) with respect to shipments on the Danube, and reaffirms the responsibility of riparian States to take necessary measures to ensure that shipping on the Danube is in accordance with resolutions 713 (1991) and 757 (1992), including such measures commensurate with the specific circumstances as may be necessary to halt such shipping in order to inspect and verify their cargoes and destinations and to ensure strict implementation of the provisions of resolutions 713 (1991) and 757 (1992);

14. **Requests** the States concerned, nationally or through regional agencies or arrangements, to coordinate with the Secretary-General **inter alia** on the submission of reports to the Security Council regarding actions taken in pursuance of paragraphs 12 and 13 of the present resolution to facilitate the monitoring of the implementation of the present resolution;

15. **Requests** all States to provide in accordance with the Charter of the United Nations such assistance as may be required by those States acting nationally or through regional agencies and arrangements in pursuance of paragraphs 12 and 13 of the present resolution;

16. **Considers** that, in order to facilitate the implementation of the relevant Security Council resolutions, observers should be deployed on the borders of the Republic of Bosnia and Herzegovina, and requests the Secretary-General to present to the Council as soon as possible his recommendations on this matter;

17. **Calls upon** all international donors to contribute to the humanitarian relief efforts in the former Yugoslavia, to support the United Nations Consolidated Inter-Agency Programme of Action and Appeal for the former Yugoslavia and to speed up the delivery of assistance under existing pledges;

18. **Calls upon** all parties and others concerned to cooperate fully with the humanitarian agencies and with the United Nations Protection Force to ensure the safe delivery of humanitarian assistance to those in need of it, and reiterates its demand that all parties and others concerned take the necessary measures to ensure the safety of United Nations and other personnel engaged in the delivery of humanitarian assistance;

19. **Invites** the Secretary-General, in consultation with the United Nations High Commissioner for Refugees and other relevant international humanitarian agencies, to study the possibility of and the requirements for the promotion of safe areas for humanitarian purposes;

20. **Express its appreciation** for the report presented to the Council by the Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, and requests the Secretary-General to continue to keep the Council regularly informed of developments and of the work of the Conference;

21. **Decides** to remain actively seized of the matter until a peaceful solution is achieved.