

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1992 Nr. 79

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A. TITEL

*Handvest der Verenigde Naties:  
San Francisco, 26 juni 1945*

B. TEKST

De Engelse tekst van het Handvest is bij Koninklijk besluit van 21 december 1945 bekendgemaakt in *Stb.* F 321.

De Engelse en de Franse tekst, zoals gewijzigd, zijn geplaatst in *Trb.* 1979, 37.

C. VERTALING

Voor de vertaling in het Nederlands van het Handvest, zoals gewijzigd, zie *Trb.* 1987, 113.

D. PARLEMENT

Zie *Trb.* 1951, 44.

E. BEKRACHTIGING

Zie *Trb.* 1979, 37.

F. TOETREDING

Zie *Trb.* 1979, 37, *Trb.* 1980, 41, *Trb.* 1981, 174, *Trb.* 1985, 5 en *Trb.* 1990, 119.

Behalve de aldaar genoemde Staten zijn nog de volgende Staten op grond van artikel 4 van het Handvest tot het lidmaatschap van de Verenigde Naties toegelaten:

Liechtenstein . . . . .	18 september 1990
de Democratische Volksrepubliek Korea . . . . .	13 september 1991
Estland . . . . .	13 september 1991
Letland . . . . .	13 september 1991
Litouwen . . . . .	13 september 1991
de Marshall-eilanden . . . . .	13 september 1991
Micronesië . . . . .	13 september 1991
de Republiek Korea . . . . .	13 september 1991
Armenië . . . . .	2 maart 1992
Azerbajdzjan . . . . .	2 maart 1992
Kazachstan . . . . .	2 maart 1992
Kyrgyzstan . . . . .	2 maart 1992
Moldova . . . . .	2 maart 1992
Oezbekistan . . . . .	2 maart 1992
San Marino . . . . .	2 maart 1992
Tadzjikistan . . . . .	2 maart 1992
Toerkmenistan . . . . .	2 maart 1992

#### G. INWERKINGTREDING

Zie *Trb.* 1964, 109.

#### I. OPZEGGING

Zie *Trb.* 1966, 138.

#### J. GEGEVENS

Zie laatstelijk *Trb.* 1990, 119.

### 3. Resoluties

#### d. Libië

Op 31 maart 1992 heeft de Veiligheidsraad van de Verenigde Naties tijdens haar 3063e bijeenkomst aangenomen resolutie 748, waarvan de Engelse tekst luidt:

**Resolution 748 (1992)**

The Security Council,

Reaffirming its resolution 731 (1992) of 21 January 1992<sup>1)</sup>,

Noting the reports of the Secretary-General,<sup>2)</sup><sup>3)</sup>

Deeply concerned that the Libyan Government has still not provided a full and effective response to the requests in its resolution 731 (1992) of 21 January 1992,

Convinced that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is essential for the maintenance of international peace and security,

Recalling that, in the statement issued on 31 January 1992 on the occasion of the meeting of the Security Council at the level of heads of State and Government,<sup>4)</sup> the members of the Council expressed their deep concern over acts of international terrorism, and emphasized the need for the international community to deal effectively with all such acts,

Reaffirming that, in accordance with the principle in Article 2, paragraph 4, of the Charter of the United Nations, every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts, when such acts involve a threat or use of force,

Determining, in this context, that the failure by the Libyan Government to demonstrate by concrete actions its renunciation of terrorism and in particular its continued failure to respond fully and effectively to the requests in resolution 731 (1992) constitute a threat to international peace and security,

Determined to eliminate international terrorism,

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,

Acting under Chapter VII of the Charter,

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<sup>1)</sup> De Engelse tekst van resolutie 731 (1992), die de Veiligheidsraad van de Verenigde Naties op 21 januari 1992 tijdens haar 3033e bijeenkomst heeft aangenomen, is afgedrukt op blz. 6 van dit Tractatenblad.

<sup>2)</sup> S/23574.

<sup>3)</sup> S/23672.

<sup>4)</sup> S/23500.

1. Decides that the Libyan Government must now comply without any further delay with paragraph 3 of resolution 731 (1992) regarding the requests contained in documents S/23306, S/23308 and S/23309;

2. Decides also that the Libyan Government must commit itself definitively to cease all forms of terrorist action and all assistance to terrorist groups and that it must promptly, by concrete actions, demonstrate its renunciation of terrorism;

3. Decides that, on 15 April 1992 all States shall adopt the measures set out below, which shall apply until the Security Council decides that the Libyan Government has complied with paragraphs 1 and 2 above;

4. Decides also 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 Libya, unless the particular flight has been approved on grounds of significant humanitarian need by the Committee established by paragraph 9 below;

b) Prohibit, by their nationals or from their territory, the supply of any aircraft or aircraft components to Libya, the provision of engineering and maintenance servicing of Libyan aircraft or aircraft components, the certification of airworthiness for Libyan aircraft, the payment of new claims against existing insurance contracts and the provision of new direct insurance for Libyan aircraft;

5. Decides further that all States shall:

a) Prohibit any provision to Libya by their nationals or from their territory of arms and related material of all types, including the sale or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts for the aforementioned, as well as the provision of any types of equipment, supplies and grants of licensing arrangements, for the manufacture or maintenance of the aforementioned;

b) Prohibit any provision to Libya by their nationals or from their territory of technical advice, assistance or training related to the provision, manufacture, maintenance, or use of the items in (a) above;

c) Withdraw any of their officials or agents present in Libya to advise the Libyan authorities on military matters;

6. Decides that all States shall:

a) Significantly reduce the number and the level of the staff at Libyan diplomatic missions and consular posts and restrict or control the movement within their territory of all such staff who remain; in the case of Libyan missions to international organizations, the host State may, as it deems necessary, consult the organization concerned on the measures required to implement this subparagraph;

b) Prevent the operation of all Libyan Arab Airlines offices;

c) Take all appropriate steps to deny entry to or expel Libyan nationals who have been denied entry to or expelled from other States because of their involvement in terrorist activities;

7. 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 15 April 1992;

8. Requests all States to report to the Secretary-General by 15 May 1992 on the measures they have instituted for meeting the obligations set out in paragraphs 3 to 7 above;

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

a) To examine the reports submitted pursuant to paragraph 8 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 3 to 7 above;

c) To consider any information brought to its attention by States concerning violations of the measures imposed by paragraphs 3 to 7 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 3 to 7 above and provide information on a regular basis to the Secretary-General for general distribution to Member States;

e) To consider and to decide upon expeditiously any application by States for the approval of flights on grounds of significant humanitarian need in accordance with paragraph 4 above;

f) To give special attention to any communications in accordance with Article 50 of the Charter from any neighbouring or other State with special economic problems that might arise from the carrying out of the measures imposed by paragraphs 3 to 7 above;

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

11. Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for this purpose;

12. Invites the Secretary-General to continue his role as set out in paragraph 4 of resolution 731 (1992);

13. Decides that the Security Council shall, every 120 days or sooner should the situation so require, review the measures imposed by paragraphs 3 to 7 above in the light of the compliance by the Libyan Government with paragraphs 1 and 2 above taking into account, as appropriate, any reports provided by the Secretary-General on his role as set out in paragraph 4 of resolution 731 (1992);

14. Decides to remain seized of the matter.

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### Resolution 731 (1992)

Adopted by the Security Council at its 3033rd meeting, on  
21 January 1992

The Security Council,

Deeply disturbed by the world-wide persistence of acts of international terrorism in all its forms, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and jeopardize the security of States,

Deeply concerned by all illegal activities directed against international civil aviation, and affirming the right of all States, in accordance with the Charter of the United Nations and relevant principles of international law, to protect their nationals from acts of international terrorism that constitute threats to international peace and security,

Reaffirming its resolution 286 (1970) of 9 September 1970, in which it called on States to take all possible legal steps to prevent any interference with international civil air travel,

Reaffirming also its resolution 635 (1989) of 14 June 1989, in which it condemned all acts of unlawful interference against the security of civil aviation and called upon all States to cooperate in devising and implementing measures to prevent all acts of terrorism, including those involving explosives,

Recalling the statement made on 30 December 1988 by the President of the Security Council on behalf of the members of the Council strongly condemning the destruction of Pan Am flight 103 and calling on all States to assist in the apprehension and prosecution of those responsible for this criminal act,

Deeply concerned over the results of investigations, which implicate officials of the Libyan Government and which are contained in

Security Council documents that include the requests addressed to the Libyan authorities by France,<sup>1)</sup><sup>2)</sup> the United Kingdom of Great Britain and Northern Ireland<sup>2)</sup>,<sup>3)</sup> and the United States of America<sup>2)</sup>,<sup>4)</sup>,<sup>5)</sup> in connection with the legal procedures related to the attacks carried out against Pan American flight 103 and Union de transports aériens flight 772;

Determined to eliminate international terrorism,

1. Condemns the destruction of Pan American flight 103 and Union de transports aériens flight 772 and the resultant loss of hundreds of lives;

2. Strongly deplores the fact that the Libyan Government has not yet responded effectively to the above requests to cooperate fully in establishing responsibility for the terrorist acts referred to above against Pan American flight 103 and Union de transports aériens flight 772;

3. Urges the Libyan Government immediately to provide a full and effective response to those requests so as to contribute to the elimination of international terrorism;

4. Requests the Secretary-General to seek the cooperation of the Libyan Government to provide a full and effective response to those requests;

5. Urges all States individually and collectively to encourage the Libyan Government to respond fully and effectively to those requests;

6. Decides to remain seized of the matter.

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<sup>1)</sup> S/23306.

<sup>2)</sup> S/23309.

<sup>3)</sup> S/23307.

<sup>4)</sup> S/23308.

<sup>5)</sup> S/23317.

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Uitgegeven de achttiende mei 1992.

*De Minister van Buitenlandse Zaken,*

H. VAN DEN BROEK