

## UNITED NATIONS SECURITY COUNCILS SANCTIONS ON HAITI

Reference is made to MSD Notices No. 4 and 7 which announced the adoption of United Nations Security Council Resolutions 841(1993) imposing sanctions of Haiti.

The attention is drawn to the maritime interception operations carried out under the authority of the United Nations Security Council to ensure compliance with the provisions of these Resolutions. In this regard, reproduced hereunder is the text of the Supplemental - Special Instructions for the inspection of fuel and lubricants carried on board ships:

*"All ships transiting the Haitian area of intercept operations and inbound for Haiti must meet, in addition to the special instructions for cargo inspections contained in MARAD advisory 93-10 (121500Z Nov 93), the following minimum inspection requirements for fuel and other lubricants carried onboard:*

- \* *Master of an inbound vessel is to report to the boarding ship the total amount of fuel and lubricants onboard the vessel prior to the boarding party embarking and commencing inspection operations.*
- \* *If the Master does not report fuel and lubricants, the boarding and inspection will not commence and the vessel will not be permitted to enter Haiti until such report is made.*
- \* *During the Inspection all fuel and ballast tanks will be sounded and all lubricant storage containers will be checked. If the results of soundings and checks reveal significant discrepancy from the amounts initially reported, the vessel may be denied entry into Haiti and may be diverted.*
- \* *All vessels outward from Haiti will be reboarded and resounded. Soundings will be compared to inbound soundings and lubricant storage containers will be checked. Consideration will be given to daily fuel usage while in Port. Should results of these soundings reveal significant discrepancy from inbound fuel levels, this could be grounds to deny the vessel subsequent entry into Haiti for the duration of United Nations Sanctions.*

*Vessel operators are requested to plan cargo operations according to the foregoing information and to notify their vessels in the affected area of these requirements."*

Furthermore, on the 6 May 1994 the United Nations Security Council adopted Resolution 917(1994) the provisions of which include a trade ban which came into effect on the 21 May 1994. The text of certain provisions of this Resolution is reproduced hereunder:

".....

**6** *Decides that all States shall prevent:*

- (a) The import into their territories of all commodities and products originating in Haiti and exported therefrom after the aforementioned date;*
- (b) Any activities by their nationals or in their territories which would promote the export or transshipment of any commodities or products originating in Haiti, and any dealings by their nationals or their flag vessels or aircraft or in their territories in any commodities or products originating in Haiti and exported therefrom after the aforementioned date;*

**7** *Decides that all States shall prevent 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, to any person or body in Haiti or to any person or body for the purpose of any business carried on in, or operated from, Haiti, and any activities by their nationals or in their territories which promote such sale or supply of such commodities or products, provided that the prohibitions contained in this paragraph shall not apply to;*

- (a) Supplies intended strictly for medical purposes and foodstuffs notified to the Committee established pursuant to resolution 841(1993);*
- (b) With approval of the Committee established pursuant to resolution 841(1993), under the no-objection procedure, other commodities and products for essential humanitarian needs;*
- (c) Petroleum or petroleum products, including propane gas for cooking, authorised in accordance with paragraph 7 of resolution 841(1993);*
- (d) Other commodities and products authorised in accordance with paragraph 3 of resolution 873 (1993);*

**9** *Decides to prohibit any and all traffic from entering or leaving the territory or territorial sea of Haiti carrying commodities or products the export of which from Haiti or the sale or supply of which to Haiti would be prohibited under paragraphs 6 and 7 above, excepting regularly scheduled maritime shipping lines calling in Haiti with goods permitted under paragraph 7 and which are also carrying out commodities or products in*

*transit to other destinations, subject to formal monitoring arrangement established with States co-operating with the legitimate Government of Haiti as provided in paragraph 1 of resolution 875(1993) and paragraph 10 below;*

- 10 Acting also under Chapter VIII of the Charter of the United Nations, calls upon Member States co-operating with the legitimate Government of Haiti, 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 ensure strict implementation of the provisions of the present resolution and earlier relevant resolutions, and in particular to halt outward as well as inward maritime shipping as necessary in order to inspect and verify their cargoes and destinations;*

*....."*

Malta is bound to observe these sanctions and violations thereto or lack of co-operation with the relative authorities will be viewed very seriously. Furthermore, the use of a Maltese ship in any such violation may be considered as being against the interest of Malta and of Maltese shipping and may lead, inter alia, to closure of registry not only of such ship but also of other ships under the same ownership, or managed and/or operated by the same managers and/or operators.

Merchant Shipping Directorate  
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