

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 Am 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.

*Adopted unanimously at its 3033rd meeting.*

(a) *Letters dated 20 and 23 December 1991*

(b) *Report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992)*

(c) *Further report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992)*

#### Decisions

At its 3063rd meeting, on 31 March 1992, the Council decided to invite the representatives of Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania and Uganda to participate, without vote, in the discussion of the item entitled:

"(a) Letters dated 20 and 23 December 1991 (S/23306, S/23307, S/23308, S/23309, S/23317);<sup>159</sup>

"(b) Report by the Secretary-General pursuant to paragraph 4 of resolution 731 (1992) (S/23574);<sup>3</sup>

"(c) Further report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992) (S/23672)."<sup>3</sup>

At the same meeting, the Council also decided, at the request of the representative of Morocco,<sup>167</sup> to extend an invitation to Mr. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure.

#### Resolution 748 (1992)

of 31 March 1992

*The Security Council,*

*Reaffirming* its resolution 731 (1992) of 21 January 1992,

*Noting* the reports of the Secretary-General of 11 February<sup>168</sup> and 3 March 1992<sup>169</sup> submitted pursuant to paragraph 4 of Security Council resolution 731 (1992),

*Deeply concerned* that the Libyan Government has still not provided a full and effective response to the requests in its resolution 731 (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>170</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,

1. *Decides* that the Libyan Government must now comply without any further delay with paragraph 3 of resolution 731 (1992) regarding the requests addressed to the Libyan authorities by France,<sup>162,165</sup> the United Kingdom of Great Britain and Northern Ireland,<sup>162</sup> and the United States of America,<sup>162,163</sup>

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 Security Council 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 subparagraph (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 of the United Nations 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 one hundred and twenty 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.

*Adopted at the 3063rd meeting by 10 votes to none, with 5 abstentions (Cape Verde, China, India, Morocco, Zimbabwe).*

#### Decisions

On 12 August 1992, following consultations with the members of the Council, the President made the following statement on behalf of the members of the Council:<sup>171</sup>

"The members of the Council held informal consultations on 12 August 1992 pursuant to paragraph 13 of resolution 748 (1992) of 31 March 1992, by which the Council decided to review every 120 days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya.

"After hearing all the opinions expressed in the course of the consultations, the President concluded that there was no agreement among members of the Council that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992)."

On 9 December 1992, following consultations with the members of the Council, the President made the following statement on behalf of the members of the Council:<sup>172</sup>

"The members of the Council held informal consultations on 9 December 1992 pursuant to paragraph 13 of resolution 748 (1992) of 31 March 1992, by which the Council decided to review every 120 days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya.

"After hearing all the opinions expressed in the course of the consultations, the President of the Council concluded that there was no agreement that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992)."

**Letter dated 2 April 1992 from the Permanent Representative of Venezuela to the United Nations addressed to the President of the Security Council**

#### Decisions

At the 3064th meeting, on 2 April 1992, the Council decided to discuss the item entitled "Letter dated 2 April 1992 from the Permanent Representative of Venezuela to the United Nations addressed to the President of the Security Council (S/23771)".<sup>43</sup>

At the same meeting, following consultations held earlier among members of the Security Council, the President made the following statement on behalf of the Council:<sup>73</sup>

"The Council strongly condemns the violent attacks on and destruction of the premises of the Embassy of Venezuela in Tripoli that took place today. The fact that these intolerable and extremely grave events have been directed not only against the Government of Venezuela but also against and in reaction to Council resolution 748 (1992) of 31 March 1992 underlines the seriousness of the situation.

"The Council demands that the Government of the Libyan Arab Jamahiriya take all necessary measures to honour its international legal obligations to ensure the security of the personnel and to protect the property of the Embassy of Venezuela and of all other diplomatic and consular premises or personnel present in the Libyan Arab Jamahiriya, including those of the United Nations and related organizations, from acts of violence and terrorism.

"The Council further demands that the Libyan Arab Jamahiriya pay to the Government of Venezuela immediate and full compensation for the damage caused.

"Any suggestion that those acts of violence were not directed against the Government of Venezuela but against and in reaction to resolution 748 (1992) is extremely serious and totally unacceptable."