

Charter of the United Nations (Sanctions) Regulations 1993 No. 279

EXPLANATORY STATEMENT

Statutory Rules 1993 No. 279

Issued by the authority of the Minister of Foreign Affairs

Charter of the United Nations Act 1945

Charter of the United Nations (Sanctions) Regulations

Section 6 of the Charter of the United Nations Act 1945 ("the Act") provides that the Governor General may make regulations for and in relation to giving effect to decisions that:

- (a) the Security Council has made under Chapter VII of the Charter of the United Nations; and
- (b) Article 25 of the Charter requires Australia to carry out;

in so far as those decisions require Australia to apply measures not involving the use of armed force.

On 17 April 1993 the Security Council adopted Resolution 820 ("the Resolution"), which imposed strict economic sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) ("Yugoslavia"). The purpose of the proposed Regulations is to implement those parts of the sanctions which could not be implemented under other legislation.

The new Regulations impose the following sanctions against Yugoslavia:

strict financial sanctions, as required by Operative Paragraph 21 of the Resolution.

the seizure and possible forfeiture of vessels, aircraft and cargoes which are owned by entities located in the territory of the Yugoslavia or which have been used to carry cargoes to or from the Yugoslavia in breach of the sanctions against the Yugoslavia, as required by Operative Paragraphs 24 and 25 of the Resolution. A person aggrieved by a decision to seize or forfeit such a vessel, aircraft or cargo may apply to the Administrative Appeals Tribunal for the review of that decision.

a ban on the provision of services, with certain specified exemptions, to a person or body for the purposes of a business carried on in the Yugoslavia, as required by Operative Paragraph 27 of the Resolution.

a prohibition on vessels registered in Australia entering the territorial sea of the Yugoslavia, as required by Operative Paragraph 28 of the Resolution.