

MEMORANDUM CIRCULAR N0.69

**TO : ALL OVERSEAS/DOMESTIC SHIPPING COMPANIES, RP
FLAG VESSELS AND OTHER MARITIME ENTITIES
CONCERNED**

**SUBJECT : UNITED NATIONS SECURITY COUNCIL RESOLUTIONS
757 (1992) AND 752 (1992)**

Pursuant to the call of the United Nations Security Council to impose sanctions against the Federal Republic of Yugoslavia(Serbia and Montenegro) following that country's non-compliance with the provisions of UN security Council resolution No. 752 (1992) as embodied in UN Security Council Resolution No. 757(1992) referred to the Maritime Industry Authority(MARINA) by the secretary of Foreign Affairs through the secretary of Transportation and Communications, which provides and is hereby quoted, as follows:

- “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 license 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;
14. Calls upon all States to cooperate fully with the Committee in the fulfillment of its task, including supplying such information as maybe sought by the Committee in pursuance of the present resolution.”

Henceforth, the MARINA, consistent with the decision embodied in the said resolution, to wit:

- “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 Motenegro) 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 in any transfer of funds to the Federal Republic of Yugoslavia(Serbia and Montenegro) for the purposes of such activities or dealings;
 - (b) 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 the 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 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 removing from the 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;”

and consistent with the obligations of the Republic of the Philippines under the UN Charter to strictly observe the resolutions of the Security Council, hereby adopts the following measures:

1. That the aforementioned prohibitions in the UN Security Council resolution No.757 shall be included as among the post-approval conditions

to be imposed on all approval of applications for bareboat charter PD 760/866/1711;

2. That the existing bareboat charters under PD 760/866/1711 which have already been approved by the MARINA are hereby ordered to observe and comply with the aforementioned sanctions;
3. That acquisition of Yugoslavia (Serbia and Montenegro)-owned/registered vessels by outright purchase, lease irrevocable purchase arrangements(LIP), or bareboat charter contracts shall not be allowed;
4. That Yugoslav (Serbia and Motenegro) – registered merchant vessels shall not be granted Special Permits/dispensation to operate in the Philippine waters and in the Philippine foreign trade;
5. That no vessel previously registered under the Yugoslav (Serbia and Motenegro) flag shall be allowed registration under Philippine flag; and
6. That the violations of Nos. 1 and 2 of this Circular are hereby included in and shall be penalized under Rule VI of the Rules and Regulations to Implement PD 760/866/1711; and
7. That all acts committed in violation of Nos. 3, 4, and 5 of this Circular shall be null and void.

This Memorandum shall take effect immediately.

22, June 1992 at Manila, Philippines.