

Nru. 85

29. 11. 84

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Joseph Cassar, M.P., Deputat Prim Ministru Anzjan u Ministru tal-Gustizzja u Affarijiet tal-Parlament, u moqri għall-Ewwel darba fis-Seduta tas-27 ta' Novembru, 1984.

A BILL introduced by the Honourable Joseph Cassar, M.P., Senior Deputy Prime Minister and Minister of Justice and Parliamentary Affairs, and read the First time at the Sitting of the 27th November, 1984.

ATT għar-ratifika ta' Trattat ta' Hbiberija u Koperazzjoni bejn Malta u l-Libja.

AN ACT to ratify the Treaty of Friendship and Co-operation between Malta and Libya.

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIGI**msejjah**

ATT għar-ratifika ta' Trattat ta' Hbiberija u Koperazzjoni bejn Malta u l-Libja.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'ligi dan li ġej:—

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1984 dwar Trattat ta' Hbiberija u Koperazzjoni bejn Malta u l-Libja.

Ratifika ta' Trattat.

2. It-Trattat ta' Hbiberija u Koperazzjoni bejn il-Gvern tar-Repubblika ta' Malta u l-Gemahirija Għarbija Libjana Popolari Soċjalista, iffirmat fid-19 ta' Novembru, 1984, u l-Protokol dwar koperazzjoni fis-sigurtà iffirmat fl-istess data, liema żewġ dokumenti qegħdin fl-Iskeda li tinsab ma' dan l-Att, li huma ftehim internazzjonali li għandhom x'jaqsmu ma' l-istatus ta' Malta fid-dritt internazzjonali, l-appoġġ għal dak l-istatus u s-sigurtà ta' Malta, is-sovranità u l-integrità territorjali tagħha, qed jiġu b'dan ratifikati għall-finijiet u effetti kollha ta' l-Att ta' l-1983 dwar ir-Ratifika ta' Trattati, u għalhekk il-bdil tad-dokumenti ta' ratifika bejn ir-Repubblika ta' Malta u l-Gemahirija Għarbija Libjana Popolari Soċjalista qed jiġi b'dan awtorizzat.

Att Nru V ta' l-1983

SKEDA

(Artikolu 2)

TRATTAT
TA' HBIBERIJA U KOPERAZZJONI
BEJN
IL-GVERN TAR-REPUBBLIKA TA' MALTA
U L-ĠEMAHIRIJA GĦARBIJA LIBJANA
POPOLARI SOĊJALISTA

Il-Gvern tar-Repubblika ta' Malta,

u

l-Ġemahirija Għarbija Libjana Popolari Soċjalista

1. Billi jixtiequ jzommu r-rabtiet ta' hbiberija u r-relazzjoni strategika li jeżistu bejniethom, u r-rieda tagħhom għat-tishih u l-iżvilupp tar-relazzjoni ta' koperazzjoni fuq is-sisien ta' benefiċċju u għid reċiproku bejn il-poplu Malti u l-poplu Għarbi Libjan,

2. Billi jridu jibdlu l-Mediterran f'baħar ta' paċi u jikkoperaw biex jilhqqu dan l-għan,

3. Meta titqies id-deċiżjoni tal-Poplu tar-Repubblika ta' Malta li darba għal dejjem ma jibqax jagħmel il-parti ta' hsara u umiljanti bħala bażi militari barranija u li minflok isir pont ta' hbiberija bejn l-Ewropa u l-Afrika ta' Fuq,

4. Jiddeċiedu b'dan it-Trattat li jsaħħu s-sigurtà, il-hbiberija u l-koperazzjoni reċiproka bejn iż-żewġ pajjiżi, skond il-prinċipji ta' non alinejament u l-Att tal-Ġnus Magħquda u għalhekk jiftehmu kif ġej:

Artiklu 1

Il-Ġemahirija Għarbija Libjana Popolari Soċjalista u r-Repubblika ta' Malta jintrabtu li ma jiehdux sehem f'xi Allejanza Militari li tista' folqot l-interessi tas-sigurtà tal-parti l-oħra.

Artiklu 2

Malta tintrabat li ma tħallix li bażijiet Militari barranin jigu stabbiliti fit-territorju tagħha u tintrabat li ma tħallix li t-territorju tagħha jintuża militarment kontra s-sigurtà u l-integrità territorjali tal-Ġemahirija Għarbija Libjana Popolari Soċjalista.

Artiklu 3

Il-Ġemahirija Għarbija Libjana Popolari Soċjalista tintrabat li tirrispetta u tagħti l-appoġġ tagħha għan-newtralità ta' Malta u li tgħin lil Malta kull meta l-Gvern tar-Repubblika ta' Malta b'mod ċar hekk jitlob f'każ ta' theddid jew għemejjel ta' aggressjoni kontra l-integrità u s-sovranità territorjali ta' Malta.

Artiklu 4

Minhabba l-importanza tal-vijabbiltà ekonomika ta' Malta qed jiġi miftiehem li jkun hemm promozzjoni ta' koperazzjoni ekonomika fl-oqsma ta' *joint ventures*, bdil kummerċjali bilanċjat, u l-użu tax-xogħol tal-haddiem Malti. Għal dan il-għan, ftehim fl-oqsma tad-difiża, tat-tagħrif u ta' l-ekonomija jkunu jagħmlu parti integrali minn dan it-Trattat.

Artiklu 5

Iż-żewġ naħat jaħdmu biex ikun hemm żvilupp ta' koperazzjoni bejniethom fl-oqsma tat-tagħrif u tal-kultura bil-għan li jkun hemm rabtiet akbar bejn iż-żewġ popli.

Artiklu 6

Iż-żewġ naħat jagħmlu konsultazzjonijiet bil-għan li jersqu lejn xulxin dwar il-mod kif jaraw kwistjonijiet politiċi, ekonomiċi, ta' sigurtà u internazzjonali li jolqtu l-interessi tagħhom sew direttament jew indirettament, u jagħmlu l-almu tagħhom biex jappoġġaw lil xulxin dwar kif jaraw dawn il-kwistjonijiet kull meta jkun hemm il-ftieġa għal dan l-appoġġ reċiproku.

Artiklu 7

Iż-żewġ naħat jagħmlu kull ma jistgħu biex jikkordinaw l-isforzi tagħhom fiż-żamma ta' paċi u sigurtà internazzjonali, b'mod speċjali fir-reġjun tal-Mediterran, u jenfasizzaw il-lealtà tagħhom għall-prinċipji u l-għanijiet tal-Għnus Magħquda u Non Allinejament.

Artiklu 8

Iż-żewġ naħat jiftehmu li jwaqqfu Kummissjoni Mista li tiltaqa' fuq livell Minis-terjali darba f'Valletta u darba fi Tripoli, għall-anqas darba kull sitt xhur, biex jirriveđu l-progress fl-oqsma ta' koperazzjoni hawn fuq imsemmija u sabiex tkun ipplanata u jaraw li ssir l-implimentazzjoni ta' koperazzjoni f'setturi godda.

Artiklu 9

Kull differenzi bejn iż-żewġ naħat li jistgħu jinqalgħu mill-interpretazzjoni ta' dawn id-dispożizzjonijiet jintlaħaq ftehim dwarhom bħal aħwa.

Artiklu 10

Dan it-"Trattat" huwa għal hames snin u jiġġedded awtomatikament għal perijodi oħra ta' hames snin il-wieħed sakemm hadd miż-żewġ naħat ma juri x-xewqa bil-miktub li jbidel xi parti minnu jew iħassru għall-anqas sitt xhur qabel id-data tat-tmiem tiegħu.

Artiklu 11

Dan it-Trattat jibda jseħħ immedjatement mad-data tal-bdil tad-dokumenti ta' ratifika iżda mhux iktar tard minn Jannar 1985.

Magħmul f'Valletta fid-dsatax ta' Novembru ta' l-Elf Disa' Mija u Erbgħa u Tmenin li tikkorrispondi għall-25 Safar 1394 f'żewġ originali fl-ilsien Inġliż u fl-ilsien Għarbi iż-żewġ testi awtentiċi ndaqs.

Kurunell Muammar El Gaddafi
Mexxej tar-Revoluzzjoni
ta' l-Ewwel ta' Settembru
Għall-Gemahirija Għarbija Libjana
Popolari Soċjalista

Dom Mintoff
Prim Ministru
Għar-Repubblika ta' Malta

PROTOKOL DWAR KOPERAZZJONI FIS-SIGURTA'

Meqjus l-Artiklu 3 tat-Trattat ta' Hbiberija u Koperazzjoni bejn il-Gvern tar-Repubblika ta' Malta u l-Gemahirija Għarbija Libjana Popolari Soċjalista, iffirmat f'Malta fid-19 ta' Novembru, 1984, iż-żewġ naħat ftehm u koll kif ġej:

1. Sabiex kull naħa tkun mgħarrfa għal kollox fuq hwejjeġ li għandhom x'jaqsmu ma' dan il-ftehim, iż-żewġ naħat jiftehmu li għandu jkun hemm bdil kontinwu ta' tagħrif dwar hwejjeġ ta' nteress speċjali għas-sigurtà reċiproka u għal għanijiet ta' difiża tan-naħa l-oħra; u

2. Sabiex il-Forzi Armati ta' Malta jilhqu livelli oġhla ta' thejjija militari sabiex ikunu jistgħu jilqgħu theddid jew għemejjel ta' aggressjoni kontra l-integrità u s-sovranità territorjali ta' Malta n-naħa Libjana għandha tagħti taħriġ lil persuni militari Maltin fil-Libja jew f'Malta kif iż-żewġ naħat jiftiehm u minn żmien għal żmien u f'dak in-numru u b'dak il-mod kif ikun miftiehem.
3. Sabiex jintlaħqu l-htigiet tal-Forzi Armati ta' Malta li jkunu identifikati minn żmien għal żmien mit-taqsimiet differenti tal-forzi ta' Malta, in-naħa Libjana qabliet li tistudja biex tippovdi mill-armeriji u hażniet tagħha kull tagħmir u armamenti militari li n-naħa Maltija tkun teħtieġ għall-użu tagħhom.

Dr Alex Sceberras Trigona
Ministru ta' l-Affarijiet Barranin u
Kultura tar-Repubblika ta' Malta

Dr Ali Treiki
Segretarju ta' l-Uffiċċju Popolari għal
Relazzjonijiet Barranin tal-Gemahirija
Għarbija Libjana Popolari Soċjalista

Għanijiet u Ragunijiet

L-Għan ta' dan l-Abbozz huwa r-ratifika ta' Trattat ta' Hbiberija u Koperazzjoni bejn Malta u l-Libja u tal-Protokol dwar koperazzjoni fis-sigurtà anness miegħu.

A BILL

entitled

AN ACT to ratify the Treaty of Friendship and Co-operation between Malta and Libya.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Malta-Libya Treaty of Friendship and Co-operation (Ratification) Act, 1984.

Ratification of Treaty.

2. The Treaty of Friendship and Co-operation between the Government of the Republic of Malta and the Socialist People's Libyan Arab Jamahirija, signed on the 19th November 1984 and the Protocol on co-operation in security signed on the same day, both documents contained in the Schedule to this Act, being international agreements which concern the status of Malta under international law, the support of such status and the security of Malta, its sovereignty and territorial integrity, are hereby ratified for all intents and purposes of the Ratification of Treaties Act, 1983, and the exchange of the instruments of ratification between the Republic of Malta and the Socialist People's Libyan Arab Jamahirija is therefore hereby authorised.

Act No. V of 1983

SCHEDULE

(Section 2)

**TREATY
OF FRIENDSHIP AND CO-OPERATION
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF MALTA
AND THE SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIJA**

The Government of the Republic of Malta,

and

The Socialist People's Libyan Arab Jamahirija

1. On the basis of their desire to preserve the bonds of friendship and the strategic relationship which exists between them, and their willingness for the consolidation and development of the relation of co-operation on the basis of mutual benefit and welfare of the Maltese people and the Libyan Arab people,

2. Desirous of turning the Mediterranean into a lake of peace and of co-operating to achieve this end,

3. Taking into consideration the decision of the People of the Republic of Malta to shed forever the harmful and humiliating role of a foreign military base and to become instead a bridge of friendship between Europe and North Africa,

4. Resolve by this Treaty to strengthen mutual security, friendship and co-operation between the two countries, in conformity with the principles of non-alignment and the Charter of the United Nations and therefore agree as follows:

Article 1

The Socialist People's Libyan Arab Jamahirija and the Republic of Malta undertake not to participate in any Military Alliance which may affect the security interests of the other side.

Article 2

Malta undertakes not to allow foreign military basis to be established on its territory and undertakes not to allow its territory to be used militarily against the security, territorial integrity of the Socialist People's Libyan Arab Jamahirija.

Article 3

The Socialist People's Libyan Arab Jamahirija undertakes to respect and support Malta's neutrality and will assist Malta whenever the Government of the Republic of Malta explicitly requests so in case of threats or acts of aggression against Malta's Territorial integrity and sovereignty.

Article 4

In view of the importance of Malta's economic viability it is agreed that economic co-operation will be prompted in the fields of joint ventures, balanced commercial exchanges, and the utilisation of Maltese labour. For this purpose, agreements in the fields of defence, information and economy will form an integral part of this Treaty.

Article 5

The two sides will work towards the development of co-operation between them in the information and cultural fields with the aim of achieving stronger bonds between the two peoples.

Article 6

The two sides will hold consultations aiming at harmonising their viewpoints on political, economic, security and international issues which affect their interests whether directly or indirectly, and will endeavour to support one another's viewpoints whenever this mutual support is required.

Article 7

The two sides will do their utmost to coordinate their efforts in the preservation of international peace and security, especially in the Mediterranean region, and emphasise their faithful adherence to the principles and goals of the United Nations and Non-Alignment.

Article 8

The two sides agree to set up a Mixed Commission which shall meet at Ministerial level alternately in Valletta and Tripoli, at least once every six months, to review progress in the above fields of co-operation and to plan and see to the implementation of co-operation in new sectors.

Article 9

Any differences between the two sides which may arise from the interpretation of these provisions will be settled in a brotherly manner.

Article 10

The duration of this "Treaty" shall be five years renewable automatically for further five-year periods so long as none of the two sides express a desire in writing to adjust it or abrogate it six months at least before its expiration date.

Article 11

This Treaty will come into force with immediate effect on the date of the exchange of the instruments of ratification but not later than January 1985.

Done in Valletta on the nineteenth day of November, One Thousand Nine Hundred and Eighty Four corresponding to the 25 Safar 1394 in two originals in the English and Arabic Languages both texts being equally authentic.

Colonel Muammar El Gaddafi
Leader of the First of September
Revolution
For the Socialist People's Libyan Arab
Jamahirija

Dom Mintoff
Prime Minister
For the Republic of Malta

PROTOCOL ON CO-OPERATION IN SECURITY

Having regard to Article 3 of the Treaty of Friendship and co-operation between the Government of the Republic of Malta and the Socialist People's Libyan Arab Jamahirija, signed in Malta on the 19th November, 1984, the two sides further agree as follows:—

1. In order that each side may be fully informed on matters pertaining to this agreement, the two sides agree that there should be a continuous exchange of information on matters of special interest to the mutual security and defence purposes of the other side; and
2. In order to enable the Maltese Armed Forces to reach higher standards of military preparedness to be able to withstand threats or acts of aggression against Malta's territorial integrity and sovereignty the Libyan side shall train Maltese military personnel in Libya or in Malta as the two sides may agree from time to time and in the numbers and modalities that may be agreed upon.
3. To meet the requirements of the Maltese Armed Forces which will be identified from time to time by the different sections of the Maltese forces, the Libyan side agreed to study supplying from their armouries and stores any military equipment and armaments which the Maltese side may require for their own use.

Dr Alex Sceberras Trigona
Minister of Foreign Affairs and Culture
of the Republic of Malta

Dr Ali Treiki
Secretary of the People's Bureau for
Foreign Liaison of the Socialist People's
Libyan Arab Jamahirija

Objects and Reasons

The Object of this Bill is the ratification of the Treaty of Friendship and Co-operation between Malta and Libya and of the Protocol on co-operation in security annexed thereto.