

(AS INTRODUCED IN THE NATIONAL ASSEMBLY)

A

Bill

Further to amend the United Nations (Security Council) Act, 1948

WHEREAS it is expedient to further amend the United Nations (Security Council) Act, 1948 (XIV of 1948) for the purposes hereinafter appearing;

It is hereby enacted as under: -

1. **Short title and commencement.** - (1) This Act may be called the United Nations (Security Council) (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment in section 2, Act XIV of 1948.** - In the United Nations (Security Council) Act, 1948 (XIV of 1948), hereinafter referred to as "the Act", in section 2, the commas and words, "and without prejudice to the generality of the foregoing power, provision may be made for the punishment of person offending against the order" shall be omitted.

3. **Insertion of new sections, Act XIV of 1948.** - In the Act, after section 2, as amended herein above, the following new sections shall be inserted, namely: -

"3. Indemnity. - No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done under this Act.

4. Power to make rules. - The Federal Government may, by notification published in the official gazette, make rules for carrying out the purposes of this Act.

5. Delegation. - The Federal Government may, by Order, delegate, subject to such conditions as may be specified therein, all or any of the powers exercisable by it under this Act".

STATEMENT OF OBJECTS AND REASONS

**Subject: United Nation Security Council Act 1948 (XIV of 1948)
(Amendment) Bill 2020**

The implementation of the obligations of the resolutions adopted by the United Nations Security Council under Chapter VII of the United Nations Charter are fulfilled through the United Nations (Security Council) Act, 1948 (XIV of 1948). Under the said Act, the Federal Government passes orders directing authorities in Pakistan to implement various measures in the Security Council resolutions including the freezing and seizure of assets, travel ban and arms embargo.

The Act does not contain **an indemnity clause** to provide protection to the persons implementing in good faith, the orders passed under the Act. Furthermore, there is a requirement **to give powers to the Federal government to make rules for carrying out the purposes of the Act.** In addition, **the power to issue orders under the Act need to be delegated by the Federal Government** to ensure that the orders are issued in a timely manner, within a matter of a few hours, as required by the Security Council. Finally the provision for punishment of persons offending against the order issue under the Act is redundant as neither the punishment nor the mechanism for its enforcement is provided under the Act. The issue is being taken up separately through corresponding amendment in the Anti-Terrorism Act, 1997.

The bill, therefore, seeks to amend the United Nations (Security Council) Act, 1948 (XIV of 1948) in order to ensure the effective implementation of the resolutions of the United Nations Security Council.

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Minister for Foreign Affairs