

Strasbourg, 18/08/04

CAHDI (2004) 20

**COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW  
(CAHDI)**

**28<sup>th</sup> meeting  
Lausanne, 13-14 September 2004**

**QUESTIONNAIRE ON NATIONAL MEASURES TO IMPLEMENT UN SANCTIONS**

Secretariat Memorandum  
prepared by the Directorate General of Legal Affairs

## **Foreword**

At its 27<sup>th</sup> meeting (Strasbourg, 18-19 March 2004), the CAHDI considered the implementation at national level of UN sanctions and respect for human rights on the basis of contributions submitted by the delegations of Greece and Sweden (documents CAHDI (2004) 7 and 9).

The CAHDI asked its Chair, Mr Michel and its Vice-Chair, Mrs Dascalopoulou-Livada to prepare jointly with Secretariat a questionnaire regarding means of implementation of such sanctions at domestic level which would serve as a basis to collect information about member and observer States for consideration at its next meeting.

## **Action required**

Delegations are invited to take note and approve the questionnaire below and decide about the conditions for collecting information on the basis thereof..

### **Draft questionnaire on National measures to implement UN sanctions**

1. Which are the procedures for the incorporation of Security Council Resolutions imposing sanctions into the internal legal order of your State? Are they incorporated through legislation, regulations or in any other way?
2. Does the choice depend on the content of the Security Council Resolution?
3. When sanctions are imposed for a fixed period of time which is not renewed, are they tacitly repealed within your domestic legal order or is any normative action required?
4. When a Security Council Resolution imposing an export embargo provides for exceptions while not establishing a committee to authorize such exceptions, does the incorporating act appoint a national authority which is competent to authorize export?
5. Are Sanctions Committee decisions specifying Security Council sanctions or setting conditions for their activation incorporated into domestic law?
6. Have there been cases where the act incorporating sanctions in the domestic legal order was challenged in court for being in violation of human rights?

(For concrete examples of cases which give rise to the questions included in the questionnaire see document CAHDI (2004) 7)