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ARMENIA

- 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? Has the implementation given rise to any constitutional or other legal problems at national level? Is there any relevant case-law?**

According to the Article 25 of the UN Charter as the other member states the Republic of Armenia as well is bound to observe and implement the Security Council resolutions. To this end, nevertheless, Armenia is bound to implement the UN Security Council resolutions imposing sanctions, which does not obligatorily require legislative provision or reflection of the sanctions into the legislation; but, if necessary, Armenia may pass respective law, amend acting laws or adopt other legal acts (decree of the president, decision of the government or of the prime-minister etc.). The issue of the implementation of UN Security Council resolutions by Armenia depends whether and to what extent it concerns Armenia and what kind of practical measures may it take to implement it. Having regard the nature of the sanction the authorities concerned may take appropriate measures, as well as adoption of law, if the implementation of the sanction is impossible without such adoption. There were no constitutional or other legal problems at national level concerning the implementation as there is no case law observed in Armenia.

- 2. Does the choice depend on the content and the legal nature of the Security Council resolution?**

Yes, if the implementation of the Security Council resolutions imposing sanctions requires incorporation into the internal legal order of Armenia such choice directly depend on the nature of the sanctions: for instance, if the sanction touches upon the trade embargo question and it concerns Armenia, in this case the adoption of law is required as the right for external economic activities is regulated and provided by law. But in other case, for example, when such trade restrictions apply to the export and import products within Armenia, the Government should decide as it is the licensing body in this field.

- 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 When sanctions are imposed for a fixed period of time which is not renewed, are they tacitly repealed within your domestic legal order or is any normative action required?**

When the implementation of the sanction supposes the adoption of the legislative act, such an act shall define fixed, precise period having regard the period provided in the resolution or at least the legislative act shall refer to the resolution indicating that the period of resolution is applicable.

If there is no period mentioned in the legislative act, but it contains provisions that sanction is in force until other decision is taken, it is required, however, to adopt a new legal act to terminate the period of validity of the sanction.

- 4. When a Security Council resolution imposing an export embargo provides for exceptions while not establishing a committee to authorise such exceptions, does the incorporating act appoint a national authority which is competent to authorise export?**

The possible establishment of such a national authority will depend on the content of the resolution concerned.

The respective legal act may, e.g. in trade issues, directly define the exceptions and limitations or creation of a temporary committee with its capacities etc. The measures to be taken at national level directly link to the nature and content of the resolution imposing sanctions.

- 5. Are Sanctions Committee decisions specifying Security Council sanctions or setting conditions for their activation incorporated into domestic law?**

It may be provided that the so-called Sanctions Committee is to be established by law or at least by government decision through which it would be incorporated, but it will depend on the questions raised, nature and content of the resolution. Please see replies to questions 1 and 2.

- 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 example, have national courts assumed jurisdiction in cases where sanctions are challenged by individuals affected by sanctions:**
- a) if implemented through EU-regulations,
 - b) if implemented directly at national level?

No, there have not been observed such cases.

- 7. Are there decisions of national courts or state practice concerning the relationship between sanctions directed towards individuals and the human rights of these individuals?**

No, there are no decisions or practice of Armenian courts concerning the relationship between sanctions directed towards individuals and human rights of these individuals.