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SLOVAK REPUBLIC

- 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?**

UN Security Council sanctions are usually adopted by the European Union in the form of common positions. They are subsequently turned into secondary legislation in accordance with Articles 301 and 60 of the Treaty on EU – Amsterdam Treaty. EU legislation is directly applicable in the Slovak Republic, because it is a member state of the EU. In cases when instruments of Community legislation do not impose UNSC sanctions, a national law is used to implement them (Act No. 460/2002 Coll. – The Act implementing International Sanctions to Protect International Peace and Security). The implementation of UNSC sanctions causes no constitutional problems in the Slovak Republic.

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

All UNSC sanctions are applicable in the manner specified under point 1.

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 When sanctions are imposed for a fixed period of time, which is not renewed, are they tacitly repealed within your domestic legal order or is any normative action required?**

The entry into force of sanctions implemented on the basis of EU legislation depends on the entry into force of the Community legislation. There is no time limit for sanctions based on national law and if the UN lifts these sanctions, this is reflected in the legal system of Slovak Republic without unnecessary delays.

- 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?**

UN embargos are implemented by means of European legislation. Based on EU regulations, national institutions of the Member States have the authority to oversee the application of restrictive measures, including providing of exemptions. Deciding on exemptions from UN embargoes, Slovak authorities follow valid UNSC and EU documents, as well as other documents in the field of disarmament and regulation of trade with selected commodities.

In accordance with provisions of the Act No. 460/2002 Coll., the responsibility for the control of abundance by trade embargoes is held by the Ministry of Economy, which co-operates with the Ministry of Foreign Affairs in this area.

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

From Slovakia's standpoint, the implementing legislation of EU reflects individual decisions of the Sanctions Committees to the full extent and hence these are directly effective and applicable in the Slovak Republic.

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 the 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 cases or decisions of national courts have been recorded so far in Slovak Republic.

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

No cases or decisions of national courts have been recorded so far in Slovak Republic.