

Database

The implementation of United Nations sanctions

This database contains the original national contributions bringing together information on The implementation of United Nations sanctions



Information on the contribution

Member State

Azerbaijan

Created on

Contribution of 01/03/2006

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Translations

- No translations

THIS DOCUMENT CAN BE QUOTED AS FOLLOWS:

Database of the CAHDI "The implementation of United Nations sanctions" - contribution of Azerbaijan - 01/03/2006

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?

(March 2006)

Once UN Security Council resolutions imposing sanctions have been adopted, Ministry of Foreign Affairs informs Government about them and the later, regardless of their content and legal nature, instructs the relevant governmental structures to take the necessary measures in order to be in conformity with those Resolutions. There is not any case where Resolutions' implementation has given rise to the constitutional or other legal problems.

2. Does the choice depend on the content and the legal nature of the Security Council Resolution?

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 When sanctions are imposed for a fixed period of time which is not renewed, are they tacitly repealed within your domestic legal order or is any normative action required?

If sanctions are imposed for a fixed period of time, Government's instructions to the bodies concerned contain indication of time period within which they should be implemented.

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?

In accordance with Articles 8.2, 9.1 and 9.2 of the "Law on Export Control" dated 26 October 2004, list of States and final customers, to which export of goods (works, services, products of intellectual property), subject to export control, is prohibited, as well as list of such goods are being determined by President of Azerbaijan.

Export, import, re-export, re-import, transit of goods (works, services, products of intellectual property), subject to export control, are being carried out in the basis of Special Authorization issued by the Cabinet of Ministers.

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

See question 1.

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?

There have been no such cases.

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

There are no such decisions.