

ECONOMIC SANCTIONS

The imposition of economic sanctions against foreign states continues to be an active area of international law.

Most commonly, the determination of whether such sanctions will be imposed against individual states is made at first instance by the United Nations Security Council. Under Chapter VII of the UN Charter, the Security Council is authorized, following debate among member countries, to adopt United Nations Security Council Resolutions requiring member states to impose sanctions.

Once adopted by the Security Council under Chapter VII of the UN Charter imposing trade, commercial and financial sanctions, such resolutions become international law treaty obligations of Canada as a signatory of the UN Charter, and are implemented under Canadian domestic law by regulations passed pursuant to the United Nations Act, R.S.C., c.U-3.

Countries currently subject to United Nations sanctions include:

- Iraq (comprehensive sanctions)
- Libya (asset freeze, export restrictions, aircraft related industries)
- Federal Republic of Yugoslavia (Serbia and Montenegro)-
(asset freeze on disputed property)
- Angola (arms embargo to UNITA-controlled areas)
- Rwanda (arms embargo)
- Sudan (diplomatic personnel)

Canada also imposes sanctions on countries by placing them on the Area Control list of the Export and Import Permits Act, R.S.C., c.E-19. Countries on the Area Control list presently include Libya, Angola and Burma.

Canada may also use the Special Economic Measures Act R.S.C. c.S-14.5, to impose sanctions unilaterally, when faced with "a grave breach of international peace and security" (art. 4), or when implementing a decision or recommendation of an international organization or association of States (other than the United Nations) of which Canada is a member (the G-8, the Organization of American States, etc.). There are presently no sanctions imposed pursuant to the SEMA.