

**Security Council**

Distr.: General
6 November 2014

Original: English

Letter dated 5 November 2014 from the Permanent Representative of Australia to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Security Council is scheduled to hold a briefing on the subject “General issues concerning sanctions” on 25 November 2014. A concept note, prepared to inform the discussion, is attached (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Gary Quinlan
Permanent Representative



Annex to the letter dated 5 November 2014 from the Permanent Representative of Australia to the United Nations addressed to the Secretary-General

Security Council briefing on the evolution of sanctions, 25 November 2014

Concept note

As President of the Security Council for November, Australia will convene a briefing by the Under-Secretary-General for Political Affairs and the Secretary General of the International Criminal Police Organization (INTERPOL) on how the United Nations system can improve the way it comes together, both internally and with all relevant States and international and regional organizations, to give effect to the sanctions decisions made by the Council. The briefing will be an opportunity to highlight the political evolution of sanctions in the Council's practice over the past quarter century and the need for technical support for sanctions implementation to keep pace with these developments. Australia also proposes that the Council adopt a resolution at the meeting on sanctions on improving the capacity of the United Nations system to implement the Council's sanctions regimes.

Background

The role sanctions play in the collective security framework enshrined in the Charter of the United Nations has evolved significantly over the past 25 years. The way the Security Council uses sanctions has changed, from its earlier practice of comprehensive trade and economic embargoes to its contemporary practice of highly targeted measures applied only to the specific individuals or entities whose behaviour the Council is seeking to influence or constrain or to the specific goods or services whose trade was either contributing to or financing the particular crisis.

As sanctions have become more targeted, the Security Council has been able to apply them to a broader range of activity and more diverse kinds of threats to international peace and security. From the original focus on inter- or intra-State conflict, the Council now uses sanctions to counter international terrorism, for the protection of civilians and the prevention of human rights atrocities, to thwart the proliferation of weapons of mass destruction and their delivery systems and to counter the financing of conflict through the exploitation of natural resources or criminal activities.

At the same time, the relationship between the Security Council and the countries to which sanctions measures are applied has changed significantly. Sanctions are now primarily an instrument to support post-conflict stabilization, in which the countries concerned work cooperatively to implement the sanctions with the Council and the bodies it has established for that purpose, the committees and expert groups.

Underpinning this evolution of the Security Council's practice is a growing willingness to make use of sanctions. There are currently 15 situations to which the Council has applied sanctions, more than at any time in its history. Council sanctions are now frequently applied alongside other crisis resolution tools (such as mediation and referrals to international judicial processes) adopted by both the

United Nations and regional organizations. Similarly, the range of international organizations, instruments and initiatives dealing with many of the same threats as sanctions has also multiplied.

As the focus of United Nations sanctions has become more targeted, new issues have arisen, such as reconciliation with rule of law principles, in particular respect for due process and human rights. It has also led to a greater reliance on the private sector for complying with sanctions measures, thus requiring new modes of partnerships and strategies to ensure effectiveness.

The intricacies of the new threats to international peace and security have shaped these institutional dynamics and highlight the need for the Security Council, the Secretariat and United Nations agencies, Member States and related international actors and bodies to adapt continuously.

These developments call for a review of United Nations integration and coordination on sanctions, the relationship between United Nations sanctions and external institutions and instruments, and the emerging challenges facing the United Nations sanctions system. To that end, the Governments of Australia, Finland, Germany, Greece and Sweden sponsored a high-level review of United Nations sanctions from June to October 2014. As part of the review, working groups consulted with the Security Council and its expert groups, the Secretariat, other relevant United Nations and non-United Nations organizations, and Member States to assess current sanctions practices and develop practical, policy-oriented options to enhance sanctions implementation.

Briefing by the Under-Secretary-General for Political Affairs and the Secretary General of the International Criminal Police Organization

The meeting with the Under-Secretary-General for Political Affairs and the Secretary General of INTERPOL will provide an opportunity for the Security Council to discuss these developments. The Under-Secretary-General for Political Affairs will brief the Council on institutional reforms adopted by the Secretariat to modernize and professionalize the Secretariat's contribution to sanctions implementation and administration. The Council will then be briefed by the Secretary General of INTERPOL on the organization's growing role in supporting the implementation of United Nations sanctions, as an illustration of how international organizations can apply their systems and networks to facilitate and improve sanctions implementation and monitoring by the Council, the Secretariat and Member States.

Following these briefings, the floor will be opened to Security Council members to make statements and raise questions. In order to promote the most interactive dialogue possible, Council members are encouraged to respond to the presentations they have heard. The briefers will have the opportunity to respond. Council members may wish to consider addressing the following issues in their interventions:

- **United Nations integration and coordination on the implementation of United Nations sanctions.** What opportunities are there to improve sanctions integration and coordination among the United Nations entities supporting the Security Council's sanctions function, including sanctions committees, expert groups, the Ombudsperson, the focal point for delisting, the Secretariat and United Nations field missions? How can sanctions and other security-

enhancing instruments of the Council, such as peacekeeping and special political missions, security sector reform and disarmament, demobilization and reintegration, be better linked to mutually reinforce their effectiveness?

- **United Nations sanctions and related institutions and instruments.** How can the Security Council better utilize the intersections between United Nations sanctions and other international instruments and institutions dealing with international security, such as international arms control and disarmament mechanisms, international financial and economic regulatory systems and international criminal justice institutions? How can we improve information-sharing with, and effective cooperation between, these organizations and instruments and the Council, to assist in sanctions implementation? What are the opportunities for capacity-building and technical assistance on sanctions implementation for Member States?
- **United Nations sanctions, regional organizations and emerging challenges.** How can United Nations sanctions be used more effectively to prevent and constrain serious and systematic violations of human rights and international humanitarian law? How can the Security Council enhance coordination with regional organizations on the implementation and enforcement of sanctions? What new applications might there be for sanctions to address evolving threats to international peace and security?
- **United Nations sanctions and engagement by the private sector.** How should the United Nations engage with the private sector on sanctions? What new strategies and modes of partnership are available?

Resolution

Australia proposes that the Security Council adopt a resolution during the briefing. The resolution would facilitate the provision of technical assistance to relevant States and promote collective discussion of sanctions implementation issues that cut across multiple sanctions regimes. The resolution would also request the Secretary-General to enhance policy coordination within the Secretariat and to establish relationships between the United Nations and relevant international organizations on sanctions implementation.
