
CONSOLIDATED MODEL TEXT

FOR REFERENCE IN DRAFTING TARGETED SANCTIONS RESOLUTIONS

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About this document: This document contains the model text developed in the Interlaken and Bonn-Berlin Processes. Only operative paragraphs are included. In addition, relevant operative paragraphs from resolutions subsequent to Interlaken and Bonn-Berlin are excerpted for reference. Holding down the “Ctrl” key on your keyboard, click on the table of contents (below) to view the model paragraphs. From there, model text may be copied and pasted into draft resolutions.

TABLE OF CONTENTS:

1. [Model Text for Imposing Targeted Financial Sanctions](#)
 - 1.1. [Model Text Developed Through the Interlaken Process](#)
 - 1.1.1. [Prohibitions](#)
 - 1.1.2. [Tracing Funds Retroactively](#)
 - 1.1.3. [Exemptions to the Prohibitions](#)
 - 1.1.4. [International Organizations](#)
 - 1.1.5. [Sanctions Committee](#)
 - 1.1.6. [Petition for Removal from Target List](#)
 - 1.1.7. [Reporting](#)
 - 1.1.8. [Monitoring](#)
 - 1.1.9. [Appeals to States](#)
 - 1.1.10. [Nonliability for Compliance with Sanctions](#)
 - 1.1.11. [Sunset Clause](#)
 - 1.2. [Operative Paragraphs from Recent Resolutions Imposing Targeted Financial Sanctions](#)
 - 1.2.1. [S/RES/1390 \(2002\) imposing targeted financial sanctions on individuals and entities associated Al-Qaida and the Taliban](#)
 - 1.2.2. [S/RES/1483 \(2003\) seizing assets removed from Iraq, or acquired, by the former Iraqi regime and their immediate family members](#)
 - 1.2.3. [S/RES/1532 \(2004\) seizing assets of former Liberian President Charles Taylor and related parties](#)
 - 1.2.4. [S/RES/1572 \(2004\) imposing targeted financial sanctions on individuals who threaten the peace and security of Cote d’Ivoire](#)
 - 1.2.5. [S/RES/1591 \(2005\) imposing financial sanctions on individuals involved in the conflict in Sudan](#)
 - 1.2.6. [S/RES/1617 \(2005\) imposing financial sanctions on individuals associated with Al-Qaida, Usama bin Laden, or the Taliban](#)
 - 1.2.7. [S/RES/1636 \(2005\) imposing financial sanctions on individuals who are suspected of involvement in the assassination of Rafiq Hariri](#)

- 1.2.8. [S/RES/1718 \(2006\) imposing financial sanctions on individuals associated with North Korea's nuclear program](#)
 - 1.2.9. [S/RES/1737 \(2006\) imposing financial sanctions on individuals associated with Iran's nuclear program](#)
2. [Model Text for Imposing Arms Embargoes](#)
 - 2.1. [Model Text Developed Through the Bonn-Berlin Process](#)
 - 2.1.1. [Scope of the Embargo](#)
 - 2.1.2. [Requests to States](#)
 - 2.1.3. [International Organizations](#)
 - 2.1.4. [Exemptions](#)
 - 2.1.5. [Sanctions Committee/Monitoring](#)
 - 2.1.6. [Reporting](#)
 - 2.1.7. [Further Requests](#)
 - 2.1.8. [Time Period](#)
 - 2.2. [Operative Paragraphs from Recent Resolutions Imposing Arms Embargoes](#)
 - 2.2.1. [S/RES/1390 \(2002\) imposing an Arms Embargo on individuals and entities associated with Al-Qaida and the Taliban](#)
 - 2.2.2. [S/RES/1493 \(2003\) imposing an Arms Embargo on armed groups operating in the territory of North and South Kivu and Ituri, Democratic Republic of the Congo](#)
 - 2.2.3. [S/RES/1521 \(2003\) imposing an Arms Embargo on Liberia](#)
 - 2.2.4. [S/RES/1556 \(2004\) imposing an Arms Embargo on non-state actors involved in the conflict in Sudan](#)
 - 2.2.5. [S/RES/1572 \(2004\) imposing an Arms Embargo on Cote d'Ivoire](#)
 - 2.2.6. [S/RES/1617 \(2005\) imposing an Arms Embargo on individuals associated with Al-Qaida, Usama bin Laden, or the Taliban](#)
 - 2.2.7. [S/RES/1718 \(2006\) imposing an Arms Embargo on North Korea](#)
 - 2.2.8. [S/RES/1737 \(2006\) imposing an Arms Embargo \(nuclear program-related materials\) on Iran](#)
3. [Model Text for Imposing Travel Bans](#)
 - 3.1. [Model Text Developed Through the Bonn-Berlin Process](#)
 - 3.1.1. [Scope of the Ban](#)
 - 3.1.2. [International Organizations](#)
 - 3.1.3. [Entry into Force](#)
 - 3.1.4. [Exemptions](#)
 - 3.1.5. [Sanctions Committee](#)
 - 3.1.6. [Exhortative Paragraphs](#)
 - 3.1.7. [Periodic Review and Suspension/Termination](#)
 - 3.2. [Operative Paragraphs of Recent Resolutions Imposing Travel Bans](#)

- 3.2.1. [S/RES/1390 \(2002\) imposing a Travel Ban on individuals associated with Al-Qaida and the Taliban](#)
 - 3.2.2. [S/RES/1521 \(2003\) imposing a Travel Ban on senior members of former President Charles Taylor's Government and related individuals](#)
 - 3.2.3. [S/RES/1572 \(2004\) imposing a Travel Ban on individuals who threaten the peace and security of Cote d'Ivoire](#)
 - 3.2.4. [S/RES/1591 \(2005\) imposing a Travel Ban on individuals involved in the conflict in Sudan](#)
 - 3.2.5. [S/RES/1617 \(2005\) imposing a Travel Ban on individuals associated with Al-Qaida, Usama bin Laden, or the Taliban](#)
 - 3.2.6. [S/RES/1636 \(2005\) imposing a Travel Ban on individuals who are suspected of involvement in the assassination of Rafiq Hariri](#)
 - 3.2.7. [S/RES/1718 \(2006\) imposing a Travel Ban on individuals associated with North Korea's nuclear program](#)
4. [Model Text for Imposing Aviation Bans](#)
- 4.1. [Model Text Developed Through the Bonn-Berlin Process](#)
 - 4.1.1. [Scope of the Ban](#)
 - 4.1.2. [International Organizations](#)
 - 4.1.3. [Entry into Force](#)
 - 4.1.4. [Exemptions](#)
 - 4.1.5. [Sanctions Committee](#)
 - 4.1.6. [Exhortative Paragraphs](#)
 - 4.1.7. [Periodic Review and Suspension/Termination](#)
 - 4.2. [Operative Paragraphs of Recent Resolutions Imposing Aviation Bans](#)
 - 4.2.1. [S/RES/1267 \(1999\) imposing an aviation ban on aircraft in Taliban controlled areas.](#)

[Model Text for Imposing Commodity Sanctions \(Operative Paragraphs from Recent Resolutions\)](#)

- 4.2. [Diamond Bans](#)
 - 4.2.1. [S/RES/1521 \(2003\) imposing a ban on the import of rough diamonds from Liberia](#)
- 4.3. [Timber Bans](#)
 - 4.3.1. [S/RES/1521 \(2003\) imposing a ban on the import of timber products originating in Liberia](#)

1. MODEL TEXT FOR IMPOSING TARGETED FINANCIAL SANCTIONS

1.1. Model Text Developed Through the Interlaken Process

1.1.2. PROHIBITIONS

Option 1

Decides that all States shall ensure that all funds and other financial resources owned or controlled, directly or indirectly, by:

- (a) officials of the [government], [name of political faction, parastatal organization, or military junta] in [target state];
- (b) the immediate families of any of the above;
- (c) legal persons owned or controlled by (a) or (b) [or as defined in Annex [xx]];
- (d) [insert reference to target list according to Option 1A or 1B, below];

are frozen and that no funds and other financial resources, including funds derived from property, shall be made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of the persons, natural or legal, referred to in this paragraph;

Option 1A

[closed list] “(d) persons, natural or legal, as designated by the Committee established by paragraph 5 below;”

[open list] “(d) persons, natural or legal, including as designated by the Committee established by paragraph 5 below;” [and additional paragraph on open lists, below]

Option 1B

[closed list] “(d) persons, natural or legal, as designated in Annex [xx] of this resolution;”

[open list] “(d) persons, natural or legal, including as designated in Annex [xx] of this resolution;” [and additional paragraph on open lists, below]

[additional paragraph for open lists]: *Decides* that in cases where States acquire or possess well-founded information that a person is subject to the prohibitions in paragraph X, they shall apply the prohibitions to this person, and decides that in such cases States shall notify the Sanctions Committee of their actions and forward any relevant information to the Committee, and further decides that the Sanctions Committee established by paragraph X below may decide that

[prohibitions in paragraph X] shall no longer apply to said person, or shall add said person to the list of targets;

[Top](#)

Ban on Financial Services

Decides that all States shall prohibit the provision of financial services by their nationals or by any person within their territory in relation to any assets owned or controlled, directly or indirectly, by any person referred to in paragraph X above;

Option 2 (The “Freeze-and-Release” Approach)

Decides that all States shall ensure that all funds and other financial resources owned or controlled, directly or indirectly, by any person, natural or legal, who is a national of, or residing in or operating in [target state], are frozen and that no funds and other financial resources, including funds derived from property, shall be made available, nor financial services provided, directly or indirectly, to or for the benefit of the persons referred to in this paragraph;

Decides that the comprehensive freeze on funds and other financial resources, and ban on financial services, as imposed in the paragraph above shall enter into force immediately and shall be limited by [deadline] [or upon the specification of targeted persons or categories of persons by the Sanctions Committee/Security Council] [or whichever of these occurs first] to a freeze on the funds and other financial resources of any persons or categories of persons as to be designated by the [Sanctions Committee/ Security Council], and confirms that all funds and other financial resources of all other persons shall be released and financial services may be provided to them at this time;

1.1.2. TRACING FUNDS RETROACTIVELY

Requests that all States trace the funds and other financial resources of targeted persons which were withdrawn from or transferred out of their jurisdiction during [xx] months preceding the entry into force of this resolution and report to [...] in accordance with paragraph X;

1.1.3. EXEMPTIONS AND EXCEPTIONS

Option 1

Decides that all States may authorize exemptions to the prohibitions referred to in paragraph X on the grounds of verified medical and humanitarian purposes;

Decides that the activities of the United Nations and its agencies and the International Committee of the Red Cross shall not be restricted by the provisions of this resolution;

Option 2

Decides that the Committee established by paragraph X may authorize exceptions to the prohibitions referred to in paragraph X above on a case-by-case basis under a no-objection procedure on the grounds of verified medical and humanitarian purposes;

Decides that the activities of the United Nations and its agencies, the International Committee of the Red Cross and, upon decision by the Committee established by paragraph X, further humanitarian organizations shall not be restricted by the provisions of this resolution;

[Top](#)

1.1.4. INTERNATIONAL ORGANIZATIONS

Calls upon international, regional, sub-regional, and all other organizations, to act strictly in accordance with the provisions of the resolution and to cooperate fully with the Committee established by paragraph X below [or other monitoring agencies] in the fulfillment of its/their tasks, including supplying such information as may be required by them in pursuance of this resolution;

1.1.5. SANCTIONS COMMITTEE

Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, which consists of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its conclusions, observations, and recommendations:

(a) to designate the persons subject to the measures imposed by paragraph X [by date] after having informed the country of nationality of the target, if not identical to the target country;

(b) to seek from all States, international organizations, and other sources further information regarding the persons to whom the measures imposed in paragraph 2 should apply;

(c) to decide on simplified procedures for listing and delisting targeted persons, and to review and maintain current the list of persons to whom the measures imposed in paragraph X apply;

(d) to distribute quickly and efficiently the list referred to in paragraph X to States and relevant international organizations, through official channels, upon its creation and any subsequent modifications;

(e) to make information it considers relevant, including the list referred to in paragraph X, publicly available through appropriate media, including through the use of information technology;

(f) to request that additional information be provided to the Committee where appropriate;

- (g) to give consideration to, and decide upon, requests for the exceptions set out in paragraph X above;
- (h) to promulgate expeditiously such guidelines and to offer any other support to States as may be necessary to facilitate implementation of the measures imposed by paragraph X;
- (i) to take the necessary measures to fulfill its obligations set out in paragraph X below;
- (j) to seek continually from all States and international organizations further information regarding the legal, administrative and practical actions taken by them with a view of effectively implementing the measures imposed by paragraph X above;
- (k) to examine the reports submitted pursuant to paragraph X [by States and international organizations];
- (l) where appropriate, to make available to States information received and facilitate information exchange;
- (m) to take the necessary measures to fulfill its obligations set out in paragraph X below;
- (n) to provide opportunities for third States affected by sanctions to brief the Committee on unintended impacts they are experiencing and assistance needed by them to mitigate negative impacts;
- (o) to consider and submit to the Council claims pending against targeted persons by their public and private creditors with a view to facilitating the resolution of debt issues;

[Top](#)

1.1.6. PETITION FOR REMOVAL FROM TARGET LIST

- (a) *Decides* that any individual [or] group of individuals listed as a target pursuant to this resolution may submit to the Chair of the Sanctions Committee established by paragraph X any information showing that the prohibitions contained in paragraph X should not apply or should no longer apply;
- (b) *Decides* that the Committee may gather information relevant to deciding upon the submission received, pursuant to subparagraph (a), and requests that States and international organizations cooperate with the Committee in this regard;
- (c) *Requests* that the Committee consider the petition received and any information gathered and decide whether the [prohibitions in paragraph X] shall continue to apply to the individual [or] group of individuals making the submission under subparagraph (a);

1.1.7. REPORTING

Requests that all States and calls upon the international organizations referred to in paragraph X to report to the Committee established by paragraph X above on:

Options for information to be reported

- specific legislation passed or enacted or other measures taken;
- specific prohibited transactions detected;
- aggregated amounts of funds and other financial resources frozen pursuant to the prohibitions in paragraph X;
- amount of funds withdrawn or transferred prior to entry into force of this resolution and information which may aid in determining the current location and character of the funds [i.e. pursuant to the retroactive reporting provision in paragraph X];
- publication of any list of targeted persons referred to in paragraph X;
- information on persons subject to prohibitions in paragraph X;
- information on actions taken pursuant to [paragraphs on “open” list];
- notification of persons added to the list of targeted persons as provided in paragraph X;
- exemptions issued;
- other actions taken with a view to effectively implementing paragraph X;
- any other action requested by the Committee or other monitoring body;
- matters relevant for the purposes of this resolution and any other relevant matters;

Options for reporting intervals

- within [xx] days of [the coming into force of this resolution] [or] [the promulgation of a list pursuant to paragraph X by the Committee], [and];
- [on a periodic basis or relevant to a milestone in the resolution];
- and as requested by the Committee;

[Top](#)

1.1.8. MONITORING

Options for Monitors

Decides the [Secretary-General] [Secretary-General in consultation with the Committee] [Sanctions Committee, in addition to those set out in paragraph 5 above] should undertake the following tasks:

Options for duties to assign to Monitors

- to review the humanitarian [economic,] [social,] [political,] [and] [security] implications of the measures imposed by this resolution and to report back to the Council within [amount of time] of the adoption of this resolution with an assessment and recommendations, to report at regular intervals thereafter on any humanitarian [economic,] [social,] [political,] [and] [security] implications [and to present a comprehensive report on [this/these] issue(s) and any recommendations no later than [amount of time] prior to the expiration of these measures];

- to report to the Council by [date] regarding the actions taken by States and international organizations to implement the measures specified in paragraph(s) X above;
- to consider, where and when appropriate, a visit to countries in the region by the Chairman of the Committee and such other members as may be required to enhance the full and effective implementation of the measures imposed by this resolution with a view to urging States to comply;
- to submit a report to the Council by [amount of time], and every [period of time] thereafter, drawing on information from all relevant sources, [including ...] on whether [target] has complied with the demands in paragraph X above; [...] and to present a comprehensive report on [this] issue no later than [amount of time] prior to the expiration of these measures;
- to make periodic assessments of and recommendations on ways of increasing the technical effectiveness of the measures referred to in paragraph 2 above to the Council;
- to consider any information brought to its attention by States and international organizations concerning alleged or actual violations of the measures imposed by this resolution, identifying where possible, persons, natural or legal, reported to be engaged in such violations, and to recommend appropriate measures in response thereto;
- to make periodic reports to the Council on alleged or actual violations of the measures imposed by this resolution, identifying where possible, persons, natural or legal, reported to be engaged in such violations, and recommendations for strengthening the effectiveness of these measures;
- to assess the problems in enforcing the measures imposed by paragraph X above and make recommendations for strengthening enforcement;
- to determine appropriate arrangements, on the basis of recommendations of the Secretariat, with competent international organizations, neighbouring and other States, and parties concerned with a view to improving the monitoring of the implementation of the measures imposed by paragraph X above;

Requests the Secretary-General to establish, within [one month] from the date of adoption of this resolution, in consultation with the Committee established by paragraph X above, a [Panel of Experts/Monitoring Mechanism] for a period of [six months] consisting of no more than [five] members, [drawing upon information from [...]], with the following mandate [...]:

[Top](#)

1.1.9. APPEALS TO STATES

Reminds all States of their obligation to implement strictly the measures imposed by paragraph(s) X of this resolution;

Stresses the obligation of all States to comply fully with the measures imposed against [target] contained in paragraph X and emphasizes that non-compliance with those measures constitutes a violation of the provisions of the Charter of the United Nations;

Calls upon all States to cooperate fully with the Committee established by paragraph X above [or other monitoring agencies] in the fulfillment of its/their tasks, including supplying such information as may be required by them in pursuance of this resolution;

Calls upon States to bring proceedings against persons within their jurisdiction that violate the measures imposed by paragraph X above and to impose appropriate penalties;

Calls upon all States to work with financial institutions on their territory to develop procedures to facilitate the identification of funds and financial assets that may be subject to the measures contained in this resolution and the freezing of such assets;

Further urges all States to take immediate steps to enforce, strengthen or enact legislation making it a criminal offence under domestic law for their nations or other individuals operating on their territory to violate the measures imposed by the Council against [target], where they have not already done so, and to inform the Committee of the adoption of such measures, and invites States to report the results of all related investigations or prosecutions to the Committee;

1.1.10. NONLIABILITY FOR COMPLIANCE WITH SANCTIONS

Calls upon all States and international organizations to implement the provisions of this resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted before the date of adoption of [the coming into effect of the measures contained in] this resolution;

Decides that all States shall ensure that no claim shall lie at the instance of any person referred to in paragraph X above, or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction performed or not in good faith pursuant to the measures taken by the Security Council in this resolution;

[Top](#)

1.1.11. SUNSET CLAUSE

Option 1

Expresses its readiness to review all the measures in the present resolution with a view to lifting them if, after the provisions set forth in paragraph X above have come into force, the Secretary-General reports to the Council that [target] has fulfilled the obligation(s) set out in paragraph X above;

Option 2

Decides to terminate the measures imposed by paragraph X once the Secretary-General reports to the Security Council that [target] has fulfilled the obligation(s) set out in paragraph X above;

Option 3

Decides that the measures imposed by paragraph X are established for [time period] and that, at the end of that period, the Council will decide whether the [target] has complied with the demands in paragraph X, and, accordingly, whether to extend these measures for a further period with the same conditions;

1.2. Operative Paragraphs from Recent Resolutions Imposing Targeted Financial Sanctions

1.2.1. S/RES/1390 (2002) IMPOSING TARGETED FINANCIAL SANCTIONS ON INDIVIDUALS AND ENTITIES ASSOCIATED AL-QAIDA AND THE TALIBAN

Decides that all States shall take the following measures with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) to be updated regularly by the Committee established pursuant to resolution 1267 (1999) hereinafter referred to as “the Committee”;

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons’ benefit, by their nationals or by any persons within their territory; ...

1.2.2. S/RES/1483 (2003) SEIZING ASSETS REMOVED FROM IRAQ, OR ACQUIRED, BY THE FORMER IRAQI REGIME AND THEIR IMMEDIATE FAMILY MEMBERS

Decides that all Member States in which there are:

(a) funds or other financial assets or economic resources of the previous Government of Iraq or its state bodies, corporations, or agencies, located outside Iraq as of the date of this resolution, or

(b) funds or other financial assets or economic resources that have been removed from Iraq, or acquired, by Saddam Hussein or other senior officials of the former Iraqi regime and their immediate family members, including entities owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction,

shall freeze without delay those funds or other financial assets or economic resources and, unless these funds or other financial assets or economic resources are themselves the subject of a prior judicial, administrative, or arbitral lien or judgement, immediately shall cause their transfer to the Development Fund for Iraq, it being understood that, unless otherwise addressed, claims made by private individuals or non-government entities on those transferred funds or other financial assets may be presented to the internationally recognized, representative government of Iraq; and decides further that all such funds or other financial assets or economic resources

shall enjoy the same privileges, immunities, and protections as provided under paragraph 22;

[Top](#)

1.2.3. S/RES/1532 (2004) SEIZING ASSETS OF FORMER LIBERIAN PRESIDENT CHARLES TAYLOR AND RELATED PARTIES

Decides that, to prevent former Liberian President Charles Taylor, his immediate family members, in particular Jewell Howard Taylor and Charles Taylor, Jr., senior officials of the former Taylor regime, or other close allies or associates as designated by the Committee established by paragraph 21 of resolution 1521 (2003) (hereinafter, “the Committee”) from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the sub-region, all States in which there are, at the date of adoption of this resolution or at any time thereafter, funds, other financial assets and economic resources owned or controlled directly or indirectly by Charles Taylor, Jewell Howard Taylor, and Charles Taylor, Jr. and/or those other individuals designated by the Committee, including funds, other financial assets and economic resources held by entities owned or controlled, directly or indirectly, by any of them or by any persons acting on their behalf or at their direction, as designated by the Committee, shall freeze without delay all such funds, other financial assets and economic resources, and shall ensure that neither these nor any other funds, other financial assets or economic resources are made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of such persons;

2. *Decides* that the provisions of paragraph 1 above do not apply to funds, other financial assets and economic resources that:

(a) have been determined by relevant State(s) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State(s) to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification;

(b) have been determined by relevant State(s) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State(s) to the Committee and has been approved by the Committee; or

(c) have been determined by relevant State(s) to be the subject of a judicial administrative, or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement: was entered prior to the date of the present resolution; is not for the benefit of a person referred to in paragraph 1 above or an individual or

entity identified by the Committee; and has been notified by the relevant State(s) to the Committee;

3. *Decides* that all States may allow for the addition to accounts subject to the provisions of paragraph 1 above of:

(a) interest or other earnings due on those accounts; and

(b) payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of paragraph 1 above; provided that any such interest, other earnings and payments continue to be subject to those provisions;

4. *Further decides* that the Committee shall:

(a) identify individuals and entities of the types described in paragraph 1 above, and promptly circulate to all States a list of said individuals and entities, including by posting such a list on the Committee's web site;

(b) maintain and regularly update and review every six months the list of those individuals and entities identified by the Committee as being subject to the measures set forth in paragraph 1 above;

(c) assist States, where necessary, in tracing and freezing the funds, other financial assets and economic resources of such individuals and entities;

(d) seek from all States information regarding the actions taken by them to trace and freeze such funds, other financial assets and economic resources; ...

6. *Expresses* its intention to consider whether and how to make available the funds, other financial assets and economic resources frozen pursuant to paragraph 1 above to the Government of Liberia, once that Government has established transparent accounting and auditing mechanisms to ensure the responsible use of government revenue to benefit directly the people of Liberia;

[Top](#)

1.2.4. S/RES/1572 (2004) FREEZING ASSETS OF INDIVIDUALS WHO THREATEN THE PEACE AND SECURITY OF COTE D'IVOIRE

11. *Decides* that all States shall, for the same period of twelve months, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, owned or controlled directly or indirectly by the persons designated pursuant to paragraph 9 above by the Committee established by paragraph 14 below, or that are held by entities owned or controlled directly or indirectly by any persons acting on their behalf or at their direction, as designated by the Committee, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons within their territories, to or for the benefit of such persons or entities;

12. *Decides* that the provisions of paragraph 11 do not apply to funds, other financial assets and economic resources that:

(a) have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee established by paragraph 14 below of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification,

(b) have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee, or

(c) have been determined by relevant States to be subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment: was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 11 above or an individual or entity identified by the Committee, and has been notified by the relevant States to the Committee;

13. *Decides* that, at the end of a period of 13 months from the date of adoption of this resolution, the Security Council shall review the measures imposed by paragraphs 7, 9 and 11 above, in the light of progress accomplished in the peace and national reconciliation process in Côte d'Ivoire as defined by the Linas-Marcoussis and Accra III Agreements, and expresses its readiness to consider the modification or termination of these measures before the aforesaid period of 13 months only if the Linas-Marcoussis and Accra III Agreements have been fully implemented;

14. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (the Committee), to undertake the following tasks:

(a) to designate the individuals and entities subject to the measures imposed by paragraphs 9 and 11 above, and to update this list regularly,

(b) to seek from all States concerned, and particularly those in the region, information regarding the actions taken by them to implement the measures imposed by paragraphs 7, 9 and 11 above, and whatever further information it may consider useful, including by providing them with an opportunity to send representatives to meet the Committee to discuss in more detail any relevant issues,

(c) to consider and decide upon requests for the exemptions set out in paragraphs 8, 10 and 12 above,

(d) to make relevant information publicly available through appropriate media, including the list of persons referred to in subparagraph (a) above,

(e) to promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 11 and 12 above,

(f) to present regular reports to the Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 7, 9 and 11 above;

19. *Decides* that the measures imposed by paragraphs 9 and 11 above shall enter into force on 15 December 2004, unless the Security Council shall determine before then that the signatories of the Linas-Marcoussis and Accra III Agreements have implemented all their commitments under the Accra III Agreement and are embarked towards full implementation of the Linas-Marcoussis Agreement;

1.2.5 S/RES/1591 (2005) IMPOSING FINANCIAL SANCTIONS ON INDIVIDUALS INVOLVED IN THE CONFLICT IN SUDAN

3. *Decides*, in light of the failure of all parties to the conflict in Darfur to fulfill their commitments,

(c) that those individuals, as designated by the Committee established by subparagraph (a) above, based on the information provided by Member States, the Secretary-General, the High Commissioner for Human Rights or the Panel of Experts established under subparagraph (b) of this paragraph above, and other relevant sources, who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the measures implemented by Member States in accordance with paragraphs 7 and 8 of resolution 1556 (2004) and paragraph 7 of their resolution as implemented by a state, or are responsible for offensive military overflights described in paragraph 6 of this resolution, shall be subject to the measures identified in subparagraphs (d) and (e) below; ...

(e) that all States shall freeze all funds, financial assets and economic resources that are on their territories on the date of adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons designated by the Committee pursuant to the subparagraph (c) above, or that are held by entities owned or controlled, directly or indirectly, by such persons or by persons acting on their behalf or at their direction, and decides further that all States shall ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such persons or entities;

(g) that measures imposed by the subparagraph (e) of this resolution do not apply to funds, other financial assets and economic resources that:

i. have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification;

ii. have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee, or

iii. have been determined by relevant States to be the subject of a judicial, administrative, or arbitral lien or judgment, in which case the funds, or other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee, and has been notified by the relevant States to the Committee;

1.2.6 S/RES/1617 (2005) IMPOSING FINANCIAL SANCTIONS ON INDIVIDUALS ASSOCIATED WITH AL-QAIDA, USAMA BIN LADEN, OR THE TALIBAN

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the “Consolidated List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings, and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons’ benefit, by their nationals or by any persons within their territory;

2. *Further decides* that acts or activities indicating that an individual, group, undertaking or entity is “associated with” Al-Qaida, Usama bin Laden or Taliban include

- participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

- supplying, selling or transferring arms and related materiel to;

- recruiting for; or

- otherwise supporting acts or activities of;

Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further decides* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking, or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Decides* that, when proposing names for the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and henceforth also shall provide to the Committee a statement of case describing the basis of the proposal; and further encourages States to identify any undertakings and entities owned or controlled, directly or indirectly, by the proposed subject;

1.2.7 S/RES/1636 (2005) IMPOSING FINANCIAL SANCTIONS ON INDIVIDUALS WHO ARE SUSPECTED OF INVOLVEMENT IN THE ASSASSINATION OF RAFIQ HARIRI

1. *Decides* as a step to assist in the investigation of this crime and without prejudice to the ultimate judicial determination of the guilt or innocence of any individual;

(a) that all individuals designated by the Commission or the Government of Lebanon as suspected of involvement in the planning, sponsoring, organizing, or perpetrating of this terrorist act, upon notification of such designation to and agreement of the Committee established in the subparagraph (b) below shall be subject to the following measures:

- All States shall: freeze all funds, financial assets and economic resources that are on their territories that are owned or controlled, directly or indirectly, by such individuals, or that are held by entities owned or controlled, directly or indirectly, by such individuals or by persons acting on their behalf or at their direction; ensure that no funds, financial assets or economic resources are made available by their nations or by any persons within their territories to or for the benefit of such individuals or entities; and cooperate fully in accordance with applicable law with any international investigations related to the assets or financial transactions of such individuals, entities or persons acting on their behalf, including through sharing of financial information;

(b) to establish in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the tasks described in the annex to this resolution;

The following are the functions of the Committee established pursuant to paragraph 3 of this resolution:

2. To approve exceptions to the measures established in paragraph 3 (a) on a case-by-case basis:

(ii) with respect to the freezing of funds and other economic resources, where the Committee determines that such exceptions are necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines, and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses

associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources;

1.2.8 S/RES/1718 (2006) IMPOSING FINANCIAL SANCTIONS ON INDIVIDUALS
ASSOCIATED WITH NORTH KOREA'S NUCLEAR PROGRAM

8. *Decides* that:

(d) All Member States shall, in accordance with their respective legal processes, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of the adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Security Council as being engaged in or providing support for, including through other illicit means, DPRK's nuclear-related, other weapons of mass destruction-related and ballistic missile related programmes, or by persons or entities acting on their behalf or at their direction, and ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of such persons or entities;

1.2.9 S/RES/1737 (2006) IMPOSING FINANCIAL SANCTIONS ON INDIVIDUALS
ASSOCIATED WITH IRAN'S NUCLEAR PROGRAM

12. *Decides* that all States shall freeze the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, that are owned or controlled by the persons or entities designated in the Annex, as well as those of additional persons or entities designated by the Security Council or by the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or the development of nuclear weapon delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and that the measures in this paragraph shall cease to apply in respect of such persons or entities if, and at such time as, the Security Council or the Committee removes them from the Annex, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of these persons and entities;

[Top](#)

2. MODEL TEXT FOR IMPOSING ARMS EMBARGOES

2.1. Model Text Developed Through the Bonn-Berlin Process

2.1.1. SCOPE OF THE EMBARGO

Decides that all States shall prevent the direct or indirect sale, supply and transfer, or the promotion or facilitation of such sale, supply or transfer to (target states), by their nationals or from their territories, or using their flag vessels or aircraft of:

(a) arms and related materiel of all types, including weapons and ammunition; military, paramilitary and police vehicles and equipment; and spare parts and components for the aforementioned and equipment specifically designed for military or paramilitary purposes, whether or not originating in their territories;

(b) technology, including under licensing or other transfer arrangements, used in the production, utilization or stockpiling of items;

(c) any provision of personnel or materiel for training or technical support services relating to the design, development, manufacture, use, maintenance or support of the above items, whether or not such objects, technology or personnel originate in their territories;

(d) in accordance with a list of goods provided by the Secretary-General.
Additional options:

or to any person or body in the States neighboring the target entity if such sale or supply is for the purpose of, or will facilitate, the use of such arms or materiel within or by the target entity;

or to any person or body for the purposes of any business carried on in or operated from (target entity), the sale, supply and transfer, or facilitation and promotion, of such commodities or products;

2.1.2. REQUESTS ON STATES

Requests all states to take the necessary steps to ensure that:

(a) any arms and related material sold, supplied or transferred contrary to paragraph X, together with any property used for the purposes of such sale, supply or transfer, shall be seized; and

(b) the proceeds of transactions contrary to paragraph X shall be frozen;

2.1.3. INTERNATIONAL ORGANIZATIONS

Calls upon all states and international organizations to act strictly in accordance with the provisions of this resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the date of coming into force of the measures imposed by paragraph X above;

2.1.4. EXEMPTIONS

Decides also that the measures imposed by paragraph X above shall not apply to:

(a) supplies of arms and related material intended solely for (name of UN Peacekeeping Force or other UN operations) or UN agencies and organizations, subject to prior notification of the (Sanctions) Committee (established by paragraph X below);

(b) supplies of arms and related material intended solely for (name of regional organization), including regional peacekeeping forces, in (target state), as approved in advance by the (Sanctions) Committee;

(c) supplies of non-lethal military equipment intended solely for humanitarian use by other organizations, as approved in advance by the (Sanctions) Committee;

[Top](#)

2.1.5. SANCTIONS COMMITTEE/MONITORING

Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake with the assistance of the Secretariat and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States, and, as appropriate, international organizations, further information regarding the legal, administrative and practical action taken by them with a view to implementing effectively the measures imposed by paragraph X above, and thereafter to request from them whatever further information it may consider necessary;

(b) to consider information brought to its attention by States, UN bodies and, as appropriate, other organizations and interested parties concerning violations of the measures imposed by paragraph X above, and to recommend appropriate measures in response thereto;

(c) to share such information, as appropriate, with states, UN bodies and other organizations and interested parties in order to assist states to administer and enforce the provisions of paragraph X;

(d) to make reports at least every 90 days to the Security Council on information submitted to it regarding alleged violations of the measures imposed by paragraph X above, identifying where possible persons or entities, including vessels and aircraft, reported to be engaged in such violations;

(e) to promulgate such guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraph X above;

(f) to give consideration to, and decide upon, requests for the exceptions set out in paragraph X above;

(g) to examine the reports submitted pursuant to paragraph X below;

Requests the Secretary-General to provide for the purposes of effective monitoring all necessary assistance and financial resources to the Committee established by paragraph X above and to make the necessary arrangements in the Secretariat for this purpose;

Urges Member States, relevant United Nations bodies and agencies and other international organizations to respond to requests for technical and other assistance by the Sanctions Committee;

2.1.6. REPORTING

Requests States to report in detail to the Secretary-General within 30 days of the date of adoption of this resolution on the specific actions they have taken to give effect to the measures imposed by paragraph X above;

Requests all states:

(a) to report in detail to the Sanctions Committee any information they have with respect to possible violations of this arms embargo, in their own and other countries including on prosecutions and punishment of violators;

(b) to cooperate with the Sanctions Committee and to respond in detail to requests for information; and

(c) to consider as a means of implementing the obligations referred to in paragraph X above the adoption of legislation or other legal measures making the violation of arms embargoes established by the Council a criminal offence;

Additional option

Reminds States of their obligation to implement fully the measures imposed by resolution XX and calls upon them, where they have not already done so, to enforce, strengthen or enact, as appropriate, legislation making it a criminal offence under domestic law for their nationals or other persons operating on their territory to act in violation of the measures imposed by paragraph X of that resolution, and to report to the Committee not later than (date) on the implementation of those measures;

Requests all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to report information on possible violations of the measures imposed by paragraph X above to the Committee established by paragraph X;

Requests the Committee established by paragraph X to make information it considers relevant publicly available, including through the improved use of information technology;

[Top](#)

2.1.7. FURTHER REQUESTS

Encourages all Member States to review existing embargo implementation procedures, including customs and border control and appropriate penalties for embargo violations, taking into account reports on embargo implementation;

Urges Member States, relevant United Nations bodies and agencies and other international organizations to respond to requests for technical and other assistance by affected states, to facilitate the implementation of the measures imposed in paragraph X above;

Requests the governments of (the target states), and other concerned parties to establish appropriate arrangements for the provision of humanitarian assistance and to endeavor to ensure such assistance responds to local needs and is safely delivered to, and used by, its intended recipients;

Requests the Secretary-General to submit an initial report to the Security Council within 15 days of the date of adoption of this resolution on (the target state's) compliance with paragraphs X (preambulatory paragraphs) above, and thereafter every 60 days after the date of adoption of this resolution on its implementation and the humanitarian situation in (the target state);

2.1.8. TIME PERIOD

Decides that the measures imposed by paragraph X above:

Option 1

(a) are established for an initial period of xx months and that at the end of this period, the Security Council will decide whether to extend these measures for a further period and if appropriate to suspend them, modify them or adopt further measures;

Option 2

(a) will be reviewed after a period of xx months and that at the end of this period, the Security Council will decide whether (the target government) has complied with paragraphs XX (preambulatory paragraphs) above, and accordingly, whether to terminate these measures;

(b) shall be terminated immediately if the Secretary-General reports that a peaceful definitive settlement of the conflict has been concluded;

Expresses its determination to take such steps as it may consider appropriate in response to confirmed violations of the measures referred to in paragraph X above.

2.2. *Operative Paragraphs from Recent Resolutions Imposing Arms Embargoes*

2.2.1. S/RES/1390 (2002) IMPOSING AN ARMS EMBARGO ON INDIVIDUALS AND ENTITIES ASSOCIATED AL-QAIDA AND THE TALIBAN

Decides that all States shall take the following measures with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) to be updated regularly by the Committee established pursuant to resolution 1267 (1999) hereinafter referred to as “the Committee”; ...

(c) Prevent the direct or indirect supply, sale and transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2.2.2. S/RES/1493 (2003) IMPOSING AN ARMS EMBARGO ON ARMED GROUPS OPERATING IN THE TERRITORY OF NORTH AND SOUTH KIVU AND ITURI, DEMOCRATIC REPUBLIC OF THE CONGO

Decides that all States, including the Democratic Republic of the Congo, shall, for an initial period of 12 months from the adoption of this resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, and the provision of any assistance, advice or training related to military activities, to all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and of Ituri, and to groups not party to the Global and All-inclusive agreement, in the Democratic Republic of the Congo;

2.2.3. S/RES/1521 (2003) IMPOSING AN ARMS EMBARGO ON LIBERIA

(a) *Decides* that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories;

(b) *Decides* that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (a) above;

(c) *Reaffirms* that the measures in subparagraphs (a) and (b) above apply to all sales or supply of arms and related materiel destined for any recipient in Liberia, including all non-State actors, such as LURD and MODEL, and to all former and current militias and armed groups;

(d) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use by UNMIL;

(e) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee established by paragraph 21 below (“the Committee”);

(f) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;

(g) *Affirms* that the measures imposed by subparagraph (a) above do not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

[Top](#)

2.2.4 S/RES/1556 (2004) IMPOSING AN ARMS EMBARGO ON NON-STATE ACTORS INVOLVED IN THE CONFLICT IN SUDAN

7. *Decides* that all states shall take the necessary measures to prevent the sale or supply, to all non-governmental entities and individuals, including the Janjaweed, operating in the states of North Darfur, South Darfur and West Darfur, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not originating in their territories;

2.2.5. S/RES/1572 (2004) IMPOSING AN ARMS EMBARGO ON COTE D’IVOIRE

7. *Decides* that all States shall, for a period of thirteen months from the date of adoption of this resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d’Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms or any related materiel, in particular military aircraft and equipment, whether or not originating in their territories, as well as the provision of any assistance, advice or training related to military activities;

8. *Decides* that the measures imposed by paragraph 7 above shall not apply to:

(a) supplies and technical assistance intended solely for the support of or use by UNOCI and the French forces who support them,

(b) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as approved in advance by the Committee established by paragraph 14 below,

(c) supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only,

(d) supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee established by paragraph 14 below,

(e) supplies of arms and related materiel and technical training and assistance intended solely for support of or use in the process of restructuring defense and security forces pursuant to paragraph 3, subparagraph (f) of the Linas-Marcoussis Agreement, as approved in advance by the Committee established by paragraph 14 below;

2.2.6 S/RES/1617 (2005) IMPOSING AN ARMS EMBARGO ON INDIVIDUALS ASSOCIATED WITH AL-QAIDA, USAMA BIN LADEN, OR THE TALIBAN

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(a) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities; ...

2. *Further decides* that acts or activities indicating that an individual, group, undertaking or entity is "associated with" Al-Qaida, Usama bin Laden or Taliban include

- participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

- supplying, selling or transferring arms and related materiel to;

- recruiting for; or

- otherwise supporting acts or activities of;

Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further decides* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking, or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

2.2.7 S/RES/1718 (2006) IMPOSING AN ARMS EMBARGO ON NORTH KOREA

8. *Decides* that:

(a) All Member States shall prevent the direct or indirect supply, sale or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of:

(i) Any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register on Conventional Arms, or related materiel including spare parts, or items as determined by the Security Council or the Committee established by paragraph 12 below (the Committee);

(ii) All items, materials, equipment, goods and technology as set out in the lists in documents S/2006/814 and S/2006/815, unless within 14 days of adoption of this resolution the Committee has amended or completed their provisions also taking into account the list in document S/2006/816, as well as other items, materials, equipment, goods and technology, determined by the Security Council or the Committee, which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction related programmes.

2.2.8 S/RES/1737 (2006) IMPOSING AN ARMS EMBARGO (NUCLEAR-PROGRAM RELATED MATERIALS) ON IRAN

3. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of all items, materials, equipment, goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, namely:

(a) those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814;

(b) those set out in sections A.1 and B.1 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814, except the supply, sale or transfer of:

(i) equipment covered by B.1 when such equipment is for light water reactors;

(ii) low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;

(c) those set out in document S/2006/815, except the supply, sale or transfer of items covered by 19.A.3 of Category II;

(d) any additional items, materials, equipment, goods and technology, determined as necessary by the Security Council or the Committee established by

paragraph 18 below (herein “the Committee”), which could contribute to enrichment-related, or reprocessing, or heavy water-related activities, or to the development of nuclear weapon delivery systems;

4. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, Iran, and whether or not originating in their territories, of the following items, materials, equipment, goods and technology:

(a) those set out in INFCIRC/254/Rev.7/Part2 of document S/2006/814 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities;

(b) any other items not listed in documents S/2006/814 or S/2006/815 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

(c) any further items if the State determines that they would contribute to the pursuit of activities related to other topics about which the IAEA has expressed concerns or identified as outstanding;

[Top](#)

3. MODEL TEXT FOR IMPOSING TRAVEL BANS

3.1. Model Text Developed Through the Bonn-Berlin Process

3.1.1. SCOPE OF THE BAN

Decides that all states shall take all measures to:

- (a) prevent the entry into or transit through their territories;
- (b) prevent the departure from their territories (for XX period);
- (c) require the departure from their territories (to the target state);

of (named individuals) and/or (members of the target category) and/or (all those who, through their actions, functions) (or family relationship), are acting on behalf of, acting for the benefit of, providing support to or doing business with the (target), as defined by the Committee created by paragraph X;

Nothing in this paragraph shall oblige a State to refuse entry into or require the departure from its territories of its own nationals;

3.1.2. INTERNATIONAL ORGANIZATIONS

Calls upon international (and regional) organizations, including their subsidiaries and specialized agencies, to act strictly in conformity with this Resolution;

3.1.3. ENTRY INTO FORCE

Decides that the (measures in the) present resolution come(s) into force on XX Eastern Standard Time;

3.1.4. EXEMPTIONS

Decides that travel by a targeted person can be allowed for religious duties and, exceptionally, for essential humanitarian reasons or to resolve the problem that necessitated the imposition of sanctions, after approval by the Committee established by paragraph X;

3.1.5. SANCTIONS COMMITTEE

Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

- (a) to seek and to receive from all States, from international organizations and from other (relevant, reliable) sources further information regarding the persons to whom the measures should apply;
- (b) to establish, review, and keep up-to-date the list of persons to whom the measures imposed by paragraph X apply;
- (c) to publicly disseminate and make available to all States and international organizations information it considers relevant through appropriate media including through the improved use of information technology;
- (d) to recommend to States and international organizations such steps as may be necessary to facilitate the implementation of the measures imposed by paragraph X;
- (e) to decide upon requests for exemptions and exceptions on the grounds of risk of grave violation of human rights, humanitarian need, religious obligations, or political and diplomatic efforts to achieve the objectives set out in paragraph X and the maintenance of peace and security;
- (f) to seek from all States further information regarding the legal, administrative and practical actions taken by them with a view to effectively implementing the measures imposed by paragraph X and thereafter to request from them whatever further information it may consider necessary;
- (g) to examine the reports submitted pursuant to paragraph X;
- (h) to consider information brought to its attention by States and other sources concerning possible and actual violations of the measures imposed by paragraph X (and to recommend appropriate measures in response thereto);

(i) to make periodic reports to the Security Council on information submitted to it regarding alleged or actual violations of the measure imposed by paragraph X, identifying, where possible, persons or entities, reported to be engaged in such violations;

(j) to keep the States and interested parties periodically updated about its workings, where appropriate and without compromising the effectiveness of its work;

Requests the Secretary-General to provide all necessary assistance to the Committee established by paragraph X and to make the necessary arrangements in the Secretariat for this purpose;

[Top](#)

3.1.6. EXHORTATIVE PARAGRAPHS

Calls upon all States and international organizations to implement the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the date of adoption of (the coming into effect of the measures contained in) this resolution;

Calls upon all States and international organizations to cooperate fully with the Committee established by paragraph X, including supplying such information as may be required by the Committee;

Requests all States to report in detail to the Secretary General within 30 days of the date of adoption of this resolution on the specific legal, administrative and practical steps they have taken to give effect to the measures imposed by paragraph X;

Requests States, United Nations bodies and other organizations and interested parties to report information on possible and actual violations of the measures imposed by paragraph X to the Committee established by paragraph X;

Requests States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed and to impose dissuasive, proportional and effective measures, including appropriate penalties;

3.1.7. PERIODIC REVIEW AND SUSPENSION/TERMINATION

Decides that the impact of the measures imposed by paragraph X will be reviewed after (determined time span), and then every XX period thereafter;

Decides that

Option 1

the measures imposed by paragraph X are established for (determined time span) and that, at the end of this period, the Security Council will decide whether the (targets)

have complied with paragraph(s) XX above and, accordingly, whether to suspend/terminate these measures;

Option 2

the measures imposed by paragraph X are established for an initial period of (determined time span), and affirms that, at the end of this period, the Security Council will review (the situation) in order to decide whether to suspend/extend these measures for a further period and, if necessary, to modify them or adopt further measures;

Decides that

Option 1

the measures imposed by paragraph X shall be terminated immediately if the Secretary-General reports that (compliance with the demands/fulfillment of the objectives set out) has been reached;

Option 2

the measures imposed by paragraph X shall be terminated immediately if the Secretary-General reports that compliance has been reached and if the Security Council approves the report of the Secretary-General;

3.2. Operative Paragraphs of Recent Resolutions Imposing Travel Bans

3.2.1. S/RES/1390 (2002) IMPOSING A TRAVEL BAN ON INDIVIDUALS ASSOCIATED AL-QAIDA AND THE TALIBAN

Decides that all States shall take the following measures with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) to be updated regularly by the Committee established pursuant to resolution 1267 (1999) hereinafter referred to as “the Committee”; ...

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case by case basis only that entry or transit is justified;

[Top](#)

3.2.2. S/RES/1521 (2003) IMPOSING A TRAVEL BAN ON SENIOR MEMBERS OF FORMER PRESIDENT CHARLES TAYLOR’S GOVERNMENT AND RELATED INDIVIDUALS

4. (a) *Decides* also that all States shall take the necessary measures to prevent the entry into or transit through their territories of all such individuals, as designated by

the Committee, who constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the subregion, including those senior members of former President Charles Taylor's Government and their spouses and members of Liberia's former armed forces who retain links to former President Charles Taylor, those individuals determined by the Committee to be in violation of paragraph 2 above, and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(b) *Decides* that the measures in paragraph 4 (a) above shall continue to apply to the individuals already designated pursuant to paragraph 7 (a) of resolution 1343 (2001), pending the designation of individuals by the Committee as required by and in accordance with paragraph 4 (a) above;

(c) *Decides* that the measures imposed by subparagraph 4 (a) above shall not apply where the Committee determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the Council's resolutions, for the creation of peace, stability and democracy in Liberia and lasting peace in the subregion;

3.2.3. S/RES/1572 (2004) IMPOSING A TRAVEL BAN ON INDIVIDUALS WHO THREATEN THE PEACE AND SECURITY OF COTE D'IVOIRE

9. *Decides* that all States shall take the necessary measures, for a period of twelve months, to prevent the entry into or transit through their territories of all persons designated by the Committee established by paragraph 14 below, who constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements, any other person determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire on the basis of relevant information, any other person who incites publicly hatred and violence, and any other person determined by the Committee to be in violation of measures imposed by paragraph 7 above, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

10. *Decides* that the measures imposed by paragraph 9 shall not apply where the Committee established by paragraph 14 below determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would further the objectives of the Council's resolutions, for peace and national reconciliation in Côte d'Ivoire and stability in the region;

19. *Decides* that the measures imposed by paragraphs 9 and 11 above shall enter into force on 15 December 2004, unless the Security Council shall determine before then that the signatories of the Linas-Marcoussis and Accra III Agreements have implemented all their commitments under the Accra III Agreement and are embarked towards full implementation of the Linas-Marcoussis Agreement;

3.2.4 S/RES/1591 (2005) IMPOSING A TRAVEL BAN ON INDIVIDUALS INVOLVED IN THE CONFLICT IN SUDAN

3. *Decides*, in light of the failure of all parties to the conflict in Darfur to fulfill their commitments,

(d) that all States shall take the necessary measures to prevent entry into or transit through their territories of all persons as designated by the Committee pursuant to subparagraph (c) above, provided that nothing in this paragraph shall obligate a State to refuse entry into its territory to its own nationals;

(f) that measures imposed by subparagraph (d) above shall not apply where the Committee established by subparagraph (A) above determines on a case by case basis that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the Council's resolutions for the creation of peace and stability in Sudan and the region;

3.2.5 S/RES/1617 (2005) IMPOSING A TRAVEL BAN ON INDIVIDUALS ASSOCIATED WITH AL-QAIDA, USAMA BIN LADEN, OR THE TALIBAN

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfillment of a judicial processor the Committee established pursuant to resolution 1267 (1999) ("the Committee") determines on a case-by-case basis only that entry or transit is justified;

2. *Further decides* that acts or activities indicating that an individual, group, undertaking or entity is "associated with" Al-Qaida, Usama bin Laden or Taliban include

- participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;
 - supplying, selling or transferring arms and related materiel to;
 - recruiting for; or
 - otherwise supporting acts of activities of;
- Al-Qaida, Usuma bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further decides* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking, or

entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Decides* that, when proposing names for the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and henceforth also shall provide to the Committee a statement of case describing the basis of the proposal; and further encourages States to identify any undertakings and entities owned or controlled, directly or indirectly, by the proposed subject;

3.2.6 S/RES/1636 (2005) IMPOSING A TRAVEL BAN ON INDIVIDUALS WHO ARE SUSPECTED OF INVOLVEMENT IN THE ASSASSINATION OF RAFIQ HARIRI

1. *Decides* as a step to assist in the investigation of this crime and without prejudice to the ultimate judicial determination of the guilt or innocence of any individual;

(a) that all individuals designated by the Commission or the Government of Lebanon as suspected of involvement in the planning, sponsoring, organizing, or perpetrating of this terrorist act, upon notification of such designation to and agreement of the Committee established in the subparagraph (b) below shall be subject to the following measures:

- All States shall take the measures necessary to prevent entry into or transit through their territories of such individuals provided that nothing in this paragraph shall obligate a state to refuse entry into its territory to its own nationals, or, if such individuals are found within their territory, shall ensure in accordance with applicable law that they are available for interview by the Commission if it so requests;

(b) to establish in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the tasks described in the annex to this resolution;

Annex

The following are the functions of the Committee established pursuant to paragraph 3 of this resolution:

2. To approve exceptions to the measures established in paragraph 3 (a) on a case-by-case basis:

with respect to the travel restrictions, where the Committee determines that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of this resolution

3.2.7 S/RES/1718 (2006) IMPOSING A TRAVEL BAN ON INDIVIDUALS ASSOCIATED WITH NORTH KOREA'S NUCLEAR PROGRAM

8. *Decides* that;

(e) All Member States shall take the necessary steps to prevent the entry into or transit through their territories of the persons designated by the Committee or by the Security Council as being responsible for, including through supporting or promoting, DPRK policies in relation to the DPRK's nuclear-related, ballistic missile-related and other weapons of mass destruction-related programmes, together with their family members, provided that nothing in this paragraph shall oblige a state to refuse its own nationals entry into its territory;

[Top](#)

4. MODEL TEXT FOR IMPOSING AVIATION BANS

4.1. Model Text Developed Through the Bonn-Berlin Process

4.1.1. SCOPE OF THE BAN

Decides that all States shall take all measures to deny permission to any aircraft

Option 1

to take off from, land in, or overfly their territory if it is destined to land in, or has taken off from the territory of (target state);

Option 2

to take off from, land in, or overfly their territory if that aircraft is registered in (target state) or owned, leased, controlled by or operated on behalf of the (target) authorities or airlines registered in (target state);

Option 3

used for passenger transport to take off from, land in, or overfly their territory if it is destined to land in, or has taken off from the territory of (target);

Option 4

to take off from, land in, or overfly their territory if that aircraft is owned, leased, controlled by or operated on behalf of the (target) airline;

Decides that all States shall take all measures to

Option 1

prohibit the sale or provision, directly and indirectly, of goods and services destined for the operation of aircraft falling under the provisions of paragraph XX to (target state, or name of national airline etc.);

Option 2

(a) prohibit, by their nationals or from their territory, the entering into or renewal of arrangements for:

(i) the making available, for operation within (target state), of any aircraft or aircraft components, or

(ii) the provision of engineering or maintenance servicing of any aircraft or aircraft components within (target state);

(b) prohibit, by their nationals or from their territory, the supply of any materials destined for the construction, improvement or maintenance of (target state) civilian or military airfields and associated facilities and equipment, or of any engineering or other services or components destined for the maintenance of any (target state) civilian or military airfields and associated facilities and equipment, except emergency equipment and equipment and services directly related to civilian air traffic control;

(c) prohibit, by their nationals or from their territory, any provision of advice, assistance, or training to (target state, airline, etc.) pilots, flight engineers, or aircraft and ground maintenance personnel associated with the operation of aircraft and airfields within (target state);

(d) prohibit, by their nationals or from their territory, any renewal of any direct insurance for (target state, airline, etc.) airlines;

Further decides that all States shall take all necessary measures to:

(a) require the immediate and complete closure of all (target state, national airline, etc.) offices within their territories;

(b) prohibit any commercial transactions with (target state, national airline, etc.) by their nationals or from their territory, including the honoring or endorsement of any tickets or other documents issued by (target state, national airline, etc.);

4.1.2. INTERNATIONAL ORGANIZATIONS

Calls upon international (and regional) organizations, including their subsidiaries and specialized agencies, to act strictly in conformity with this Resolution;

4.1.3. ENTRY INTO FORCE

Decides that the (measures in the) present resolution come(s) into force on XX Eastern Standard Time

4.1.4. EXEMPTIONS

Decides that flights falling under the measures imposed by paragraph X can exceptionally be approved by the Sanctions Committee for religious duties, essential humanitarian reasons, or to resolve the problem that necessitated the imposition of sanctions;

[Top](#)

4.1.5. SANCTIONS COMMITTEE

Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

- (a) to seek and to receive from all States, from international organizations and from other (relevant, reliable) sources further information regarding the (aircraft or airlines) to which the measures imposed by paragraph X should apply;
- (b) to establish, review and keep up-to-date the list of (aircraft/airlines/assets) to which the measures imposed by paragraph X apply;
- (c) to publicly disseminate and make available to all States and international organizations information it considers relevant through appropriate media including through the improved use of information technology;
- (d) to recommend to States and international organizations such steps as may be necessary to facilitate the implementation of the measures imposed by paragraph X;
- (e) to decide upon requests for exemptions and exceptions on the grounds of risk of grave violation of human rights, humanitarian need, religious obligations, or political and diplomatic efforts to achieve the objectives set out in paragraph X and the maintenance of peace and security;
- (f) to seek from all States further information regarding the legal, administrative and practical actions taken by them with a view to effectively implementing the measures imposed under paragraph X and thereafter to request from them whatever further information it may consider necessary;
- (g) to examine the reports submitted pursuant to paragraph X;
- (h) to consider information brought to its attention by States and other sources concerning possible and actual violations of the measures imposed by paragraph X (and to recommend appropriate measures in response thereto);
- (i) to make periodic reports to the Security Council on information submitted to it regarding alleged or actual violations of the measure imposed by paragraph X, identifying, where possible, (aircraft, airlines, or entities), reported to be engaged in such violations;
- (j) to keep the States and interested parties periodically updated about its workings where appropriate and without compromising the effectiveness of its work;

(k) to promote contacts with relevant international organizations and relevant commercial actors and their organizations in order to facilitate the implementation of the measures imposed by paragraph X;

Requests the Secretary-General to provide all necessary assistance to the Committee established by paragraph X and to make the necessary arrangements in the Secretariat for this purpose;

[Top](#)

4.1.6. EXHORTATIVE PARAGRAPHS

Calls upon all States and international organizations to implement the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the date of adoption of (the coming into effect of the measures contained in) this resolution;

Calls upon all States and international organizations to cooperate fully with the Committee established by paragraph X, including supplying such information as may be required by the Committee;

Requests all States to report in detail to the Secretary General within 30 days of the date of adoption of this resolution on the specific legal, administrative and practical steps they have taken to give effect to the measures imposed by paragraph X;

Requests States, United Nations bodies and other organizations and interested parties to report information on possible and actual violations of the measures imposed by paragraph X to the Committee established by paragraph X;

Requests States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed and to impose dissuasive, proportional and effective measures, including appropriate penalties;

4.1.7. PERIODIC REVIEW AND SUSPENSION/TERMINATION

Decides that the impact of the measures imposed by paragraph X will be reviewed after (determined time span), and then every XX period thereafter;

Decides that

Option 1

the measures imposed by paragraph X are established for (determined time span) and that, at the end of this period, the Security Council will decide whether the (targets) have complied with paragraph(s) XX above and, accordingly, whether to suspend/terminate these measures;

Option 2

the measures imposed by paragraph X are established for an initial period of (determined time span), and affirms that, at the end of this period, the Security Council will review (the situation) in order to decide whether to suspend/extend these measures for a further period and, if necessary, to modify them or adopt further measures;

Decides that

Option 1

the measures imposed by paragraph X shall be terminated immediately if the Secretary-General reports that (compliance with the demands/fulfillment of the objectives set out) has been reached;

Option 2

the measures imposed by paragraph X shall be terminated immediately if the Secretary-General reports that (compliance) has been reached, and if the Security Council approves the report of the Secretary-General.

4.2. Operative Paragraphs of Recent Resolutions Imposing Aviation Bans

4.2.1. S/RES/1267 (1999) IMPOSING AN AVIATION BAN ON ALL AIRCRAFT IN TALIBAN CONTROLLED TERRITORY.

4. Decides further that, in order to enforce paragraph 2 above, all States shall:

(a) Deny permission for any aircraft to take off from or land in their territory if it is owned, leased or operated by or on behalf of the Taliban as designated by the Committee established by paragraph 6 below, unless the particular flight has been approved in advance by the Committee on the grounds of humanitarian need, including religious obligation such as the performance of the Hajj;

[Top](#)

5. MODEL TEXT FOR IMPOSING COMMODITY SANCTION

(OPERATIVE PARAGRAPHS FROM RECENT RESOLUTIONS)

5.1. Diamond Bans

5.1.1. S/RES/1521 (2003) IMPOSING A BAN ON THE IMPORT OF ROUGH DIAMONDS FROM LIBERIA

Decides that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia to their territory, whether or not such diamonds originated in Liberia;

Calls upon the National Transitional Government of Liberia to take urgent steps to establish an effective Certificate of Origin regime for trade in Liberian rough

diamonds that is transparent and internationally verifiable with a view to joining the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

Expresses its readiness to terminate the measures referred to in paragraph X above when the Committee, taking into account expert advice, decides that Liberia has established a transparent, effective and internationally verifiable Certificate of Origin regime for Liberian rough diamonds;

5.2. *Timber Bans*

5.2.1. S/RES/1521 (2003) IMPOSING A BAN ON THE IMPORT OF TIMBER PRODUCTS ORIGINATING IN LIBERIA

Decides that all States shall take the necessary measures to prevent the import into their territories of all round logs and timber products originating in Liberia;

Urges the National Transitional Government of Liberia to establish its full authority and control over the timber producing areas, and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

Expresses its readiness to terminate the measures imposed by paragraph X above once the Council determines that the goals in paragraph X above have been achieved;

Encourages the National Transitional Government of Liberia to establish oversight mechanisms for the timber industry that will promote responsible business practices, and to establish transparent accounting and auditing mechanisms to ensure that all government revenues, including those from the Liberian International Ship and Corporate Registry, are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

[Top](#)