



Security Council

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 24 May 2004 from the Permanent Representative of Finland to the United Nations addressed to the Chairman of the Committee

The Permanent Representative of Finland presents her compliments to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004), and has the honour to communicate the following information concerning the implementation of the United Nations embargo on arms and related materiel against the Democratic Republic of the Congo as established by Security Council resolutions 1493 (2003) and 1533 (2004). This reply should be read in conjunction with the reply submitted by Ireland on behalf of the European Union (see S/AC.43/2004/4).

The obligations established by Security Council resolution 1493 (2003) have been implemented through Common Position (No. 2003/680/CFSP) and Regulation (EC No. 1727/2003) adopted by the Council of the European Union. The regulation is directly applicable legislation in the Member States of the European Union.

At the national level, the arms embargoes imposed by the United Nations Security Council or the European Union are implemented by virtue of the Act on the Export and Transit of Defence Materiel (Act No. 242/1990, as amended by Acts 197/1995 and 900/2002). According to the Act, export, transit or brokering of defence materiel is subject to specific authorization.

The General Guidelines for Export and Transit of Defence Materiel adopted by the Government (474/1995, as amended by Government decision 1000/2002) provide for the rules to be followed when granting an export licence or a licence to transhipment of defence materiel. Annexes 2.1.2 and 2.1.3 to the Guidelines state that the economic sanctions and arms embargoes imposed by the binding resolutions of the United Nations Security Council or by the European Union, respectively, shall be complied with.

According to section 7 of the Act on the Export and Transit of Defence Materiel, a person who commits an export crime shall be fined or imprisoned for a maximum period of four years. Sanctions and forfeitures to be imposed for violations of the provisions of the above-mentioned regulation are provided in chapters 46 and 10 of the Finnish Penal Code.